



# City of HOBOKEN

## Reexamination Report

**2010**

EFB Associates, LLC | New Paltz, NY

## City of Hoboken, Hudson County, New Jersey

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This plan was adopted by the Hoboken Planning Board on March 16<sup>th</sup>, 2011.

The original document was appropriately signed and sealed in accordance with NJAC 13:41.

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Sylvia M. Kovács, President, ResurgInt EcoLogical, Sustainability Consultants

**Foreword**

Every six years, municipalities are required by law to re-visit their master plan through a reexamination process. The City of Hoboken last adopted a Master Plan in 2004. In 2010, the Master Plan Reexamination Sub-Committee of the Hoboken Planning Board and EFB Associates worked with the city's administration, community groups and members of the public to put together this reexamination document.

This process and document are not intended to be a new Master Plan. Rather, the Sub-committee's goal was to review what the Master Plan identifies, the status of the Master Plan's objectives, outline policy changes since its adoption and state objectives going forward.

This document is broken into five different sections, which answer the five statutory questions required of a Master Plan Reexamination.

These sections include:

- NJSA 40:55D-89a: Discusses the objectives of the 2004 Master Plan
- NJSA 40:55D-89b: Discusses the status of the 2004 Master Plan's objectives
- NJSA 40:55D-89c: Discusses changes in assumptions, policies and objectives in relation to the 2004 Master Plan and today
- NJSA 40:55D-89d: Discusses specific change recommendations
- NJSA 40:55D-89e: Focuses on redevelopment plans

We're thankful for all the hard work that was put into this document by the community and our professionals. This document represents an important step towards the continuation of smart and innovative planning in the City of Hoboken.

- Keith Furman

Chairman, Master Plan Sub-Committee of the Hoboken Planning Board

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# PERIODIC REEXAMINATION OF CITY OF HOBOKEN MASTER PLAN AND DEVELOPMENT REGULATIONS

## Preface

Since the 2004 Master Plan there have been dramatic changes in both the City and country. Currently, both the City and nation are in the midst of social and economic crises of proportions not seen since the Great Depression.

Beginning with the economic recession which was first identified in early 2007, this crisis has impacted the nation with record highs in unemployment, residential foreclosures, plummeting housing values, loss of commercial tenancies and decline in consumer spending, to mention a few.

Concurrently, environmental issues related to climate change (formerly only discussed by academics, scientists and environmental groups) are now a part of everyday conversations. "Green" issues are being discussed by mainstream society which, by and large, has acknowledged the serious ramifications that climate change can and is having globally and the manner in which it will be altering the status quo and way of life.

These climate issues have particularly ominous implications for Hoboken, a riverfront community that is built primarily on marshes and has the bulk of its boundaries within the 100-year flood plain. The City currently struggles to address

the interrelated issues of flooding, aging infrastructure, and a combined stormwater and sewer system, not to mention their exacerbation with increasing storm frequency, storm

surges and rising sea levels. These are challenges that the City will need to continue to address in the coming years.

However, these discussions and challenges have also fostered interest and acceptability of the concepts of "sustainability", evaluating carbon footprints, the "greening" of lifestyles, buildings, industries, etc. and an overall reconsideration of past practices with an open mind and an interest for new "best practices".

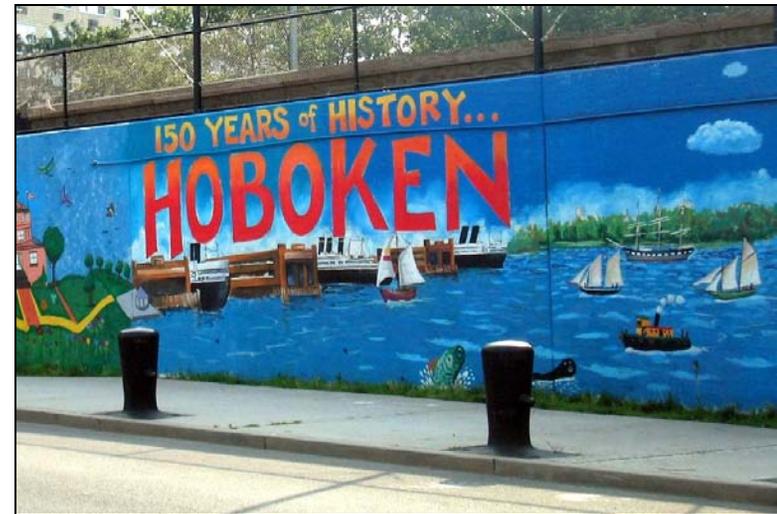
This is a period of retrenchment, when all entities, from individuals, non-profits, and corporations, to State and Federal agencies, are making difficult choices, cutting programs and seriously re-evaluating their fiscal priorities. Hoboken has not been spared these difficult times or choices. The development bubble evident from 2001 thru 2007 began to deflate in 2008 with limited development evident in 2009 and 2010. The initiation of the 2010 Reexamination Report ("2010RX") during this period of reduced development pressures is proving to be an opportune time to plan for the future of the City.

The Reexamination Report which follows has been prepared to address more than the statutory requirements. It has been used to serve as an opportunity for some "bottom-up" planning with significant input by the residents of the community. This input was solicited via meetings with the Subcommittee of the Planning Board, public meetings, meetings with the Mayor and other elected

and appointed officials, as well as interviews with specific focus groups. The result has been an ongoing exchange of information which has informed both the process and the document.

The primary purpose of a Reexamination Report is to evaluate changes in a municipality and to determine whether the Master Plan and the related development regulations are still relevant and appropriate. As previously noted and in the public hearings, the Reexamination Report is not a Master Plan. A Reexamination Report serves to identify traditional planning needs, provide guidance and identify the next steps to a planning process.

As required, the Reexamination Report has identified significant changes within the City since the adoption of the 2004 Master Plan and the 2002 Reexamination Report. However, this Report has begun to explore the unique qualities exhibited in the City and how they can be utilized to establish long-term policies to preserve this great urban village.



## Introduction

In accordance with N.J.S.A. 40:55D-89 et. seq., the City of Hoboken Planning Board conducted a general reexamination of its development regulations, its 2002 Reexamination Report and its 2004 Master Plan. The statute requires a general reexamination at least every six years. The Reexamination Report that follows complies with that requirement.

As required by the Municipal Land Use Law, the following requirements of a Reexamination Report have been addressed, pursuant to N.J.S.A. 40:55D-89a through N.J.S.A. 40:55D-89e, as reflected below:

- a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last Reexamination Report.
- b. The extent to which such problems and objectives have increased or been reduced subsequent to such date.
- c. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the Master Plan or development regulations as last revised.
- d. The specific changes recommended for the Master Plan or development regulations, if any, including underlying objectives, policies and standards, or whether new development regulations or plan elements should be prepared.
- e. The recommendations of the Planning Board

concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law", P.L. 1992, c. 79 (C.40A:12A-1 et al.) into the land use plan element of the municipal Master Plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

Additionally, as a separate related step of this Reexamination Report process, critical ordinances will be evaluated and revised. Selected maps whose information and/or findings require correction or have changed since their 2004 adoption will be corrected. Appendices are included for some of the background information identified in the Report.



**NJSA 40:55D-89a:** Identify major problems and objectives relating to land development in the municipality at the time of the adoption of the 2004 master plan.

The 2004 Master Plan (2004MP) was prepared with a great deal of public input. While new issues were raised, there were many old issues that had never been resolved.

Parking and traffic remained at the forefront of problems discussed. There was much discussion of the continuing need for park space although there was little agreement as to what type of recreational activities should be provided. However, everyone agreed that the City needed more recreational acreage and that the entire waterfront must be accessible to the public for both active and passive uses.

Some people believed there was already enough housing while others saw additional new development as a boost to the tax base. There was general agreement that future housing should emphasize affordability and family-friendly design. There was also demand for better control over architectural design, with an emphasis on expanding and reviewing the historic district designations.

Economic development was seen in terms of providing for medium box retail in underdeveloped industrial areas while the existing commercial spines should be allowed to provide larger retail space on the ground and on the second levels of mixed-use buildings. Concern was expressed over the potential loss of the City's vibrant arts community through development pressure on the industrial buildings favored by the "arts industry".

Zoning and redevelopment techniques were discussed to support the positive and limit the negative trends in the City. Solutions were also considered for the literal rising tides with enthusiastic support for green architectural requirements and sustainability in all areas of the City's functioning.

The 2004MP's objectives were numerous and expansive. The City's major land development problems in 2004 are implied by the wording of the objectives themselves. Note that the problems and objectives (detailed below) are taken from the 2004MP executive summary and from the specific elements within the 2004MP.

1. **TRANSPORTATION: Make Hoboken a better place for pedestrians, bicyclists, and transit riders, while improving conditions for those who drive.**
  - a. Make it safer to walk and bicycle with new facilities, intersection improvements, etc.
  - b. Provide improved transit access with expanded light rail service and a system of jitney routes Citywide.
  - c. Increase the public parking inventory through shared parking, new garages, and better utilization of existing facilities.
  - d. Provide shuttles and taxi stands to serve the garages, light rail stops, and Washington Street.
  - e. Use flexible pricing, information technology, and improved signage to promote use of empty garages.



- f. Relocate and/or redesign the passenger drop-off area and taxi stand near the Terminal.
- g. Convert Observer Highway into Observer Boulevard (trees, bike paths, pedestrian safety elements).
- h. Restrict curb cuts in residential areas (increase from 50 to 75ft. the minimum parcel width required to provide parking).
- i. Redesign the street system in the southwest corner of the City; recognize Paterson Plank Road as a historic road.

**2. COMMUNITY FACILITIES: Modernize school facilities; create an array of facilities consistent with demand for social and cultural enrichment.**

- a. Make parks the focal points of neighborhoods with community and cultural facilities grouped around them.
- b. Create state-of-the-art school facilities for use by the whole community.
- c. Consolidate emergency services in modern facilities, restoring a former contaminated site in center of town to safe, productive use.
- d. Convert historic schools, fire stations, etc. into charter schools, cultural incubators, community centers, etc. when new ones are built.

**3. PARKS: Increase acreage to 60 acres and showcase the best that landscape architecture and park programming can offer.**

- a. Complete the waterfront walkway and line with parks and piers designed for both active and passive recreation.
- b. Build new parks, ball fields, and other recreation facilities in redevelopment areas and other parts of the City that have severe shortage of open space.
- c. Unify the entire park system via a pedestrian and bicycle “circuit” – an urban greenway.

- d. Improve the area underneath the Fourteenth Street Viaduct for pedestrian and small-scale recreational uses.
- e. Encourage water-dependent and water-oriented recreational uses on the waterfront; limit commercial uses in waterfront areas to support activities.
- f. Preserve historic buildings as well as the natural beach area on the Maxwell House site.
- g. Limit development on piers.

**4. HOUSING: Maintain diversity in the types of housing.**

- a. Revise the City's inclusionary housing rules to assure that a certain percentage of housing stock is affordable to moderate income people.
- b. Create innovative zoning to promote home ownership and larger housing units to make Hoboken more family-oriented and less transient.
- c. Maintain the lower densities and heights in residential zones.
- d. Continue to permit mixed uses but maintain predominantly residential character; maintain the 1,000-square foot limitation on non-residential space in predominantly residential areas; permit bed and breakfasts in accordance with specific restrictions;

permit home occupations as long as any detrimental impacts are mitigated.

- e. Modify district boundaries of residential zones.

**5. ECONOMIC DEVELOPMENT: Encourage development that will add to the City's tax base but will not create a bedroom community.**

- a. Support Washington Street as the shopping and social "Main Street" of Hoboken featuring a variety of local-owned businesses, with unified management and marketing provided by a Special Improvement District.
- b. Ensure that the southeast corner of the City has modestly scaled office buildings located near Hoboken Terminal; provide additional open space and community facilities.
- c. Provide adaptive reuse of the historic Terminal's ferry concourse to create a new magnet for the City—perhaps a public market (like Pikes Market in Seattle), a recreation facility (like Chelsea Piers), a catering hall, or a conference/convention center.
- d. For the northwest corner of the City, mandate a mix of new specialized offices, limited live/work space, and "medium box" sized retail stores; create a boulevard on Fifteenth Street west of Park Avenue.
- e. Ensure that each ferry and light rail stop will have service amenities to create "places".

- f. Permit retail uses above street level in "Retail Core" area and permit larger maximum floor area where permitted above ground floor.
- g. Mandate street level retail and prohibit residential and non-real estate office uses in "Primary Retail Streets"; increase the maximum permitted floor area of ground floor retail uses in certain mixed-use areas.



- h. Encourage additional neighborhood retail on "Secondary Retail Streets".
- i. Promote ground floor retail around light rail transit stops; encourage additional office space in appropriate locations; encourage a mix of uses in new developments; promote a better mix of retail uses.

**6. LAND USE: Create a balance of uses so that Hoboken is not just a residential enclave, but continues to be a true urban village.**

- a. Preserve the heart of Hoboken as a historic district, with a new type of review process that allows innovative design as it assures contextual development.
- b. Complete the waterfront with one continuous park and many upland connections (learning from places like Battery Park City).
- c. Ensure that any new development in former industrial areas in the western section of the City takes the form of residential neighborhoods, with mixed-use development and shopping at the transit stops.
- d. Create the "Underbridge Economic Development" area in the northwest corner of the City featuring a walkable environment offering the type of shopping and uses ("medium box" retail) that residents normally have to leave town for.

- e. Use new zoning tools wherever larger scale development is permitted, to mandate mixed-use development, including live/work space, artist housing, and ground floor cultural uses; require public benefits like open space and cultural facilities.
- f. Protect Willow Court.
- g. Require appropriate uses along the edges of the Stevens Institute of Technology campus.

**7. DESIGN: Require high-quality design that will build the historic districts of the future.**

- a. Develop “green” architectural standards to create a new, environmentally sensitive design prototype to complement the traditional form.
- b. Amend and improve the City's design guidelines.
- c. Maximize historic districts, design overlays and discretionary design review (in the redevelopment areas) to assure the type of design input that residents want.
- d. Enact ordinances to insure burial of utility wires and wireless technologies that allow streets to be tree-lined and free of overhead wires.
- e. Improve the facades of the three public parking garages on Hudson and River Streets.

- f. Protect the historic character and grandeur of the Terminal’s ferry concourse and other areas; improve and expand the existing outdoor public spaces around the Terminal; relocate the outdoor markets and events to Terminal Plaza.

**8. ZONING AND REDEVELOPMENT PLANNING:**

- a. Encourage appropriate redevelopment of key underutilized sites; encourage hotels in the area near the Terminal.
- b. Provide regulations to guide any possible redevelopment of the Neumann Leather Factory with a mix of uses (commercial and artist live/work/display space) with possible density and/or height bonuses for provision of community amenities and preservation of existing historic structures where possible; include the existing City Garage property and the adjacent surface parking lot.
- c. Promote redevelopment that is more industrial in character; reuse existing older buildings in the area when possible; save and highlight remaining industrial features; encourage use of cobblestone streets.
- d. Consider changing the zoning for the small area located north of the light rail tracks.
- e. Diversify uses in the main Post Office building; move the more “industrial” operations of the post office to another location.

- f. Proceed with the zoning map amendment recommendations of the Master Plan including changes to existing district boundaries, change of district designations, and creation of new overlays.
- g. Adopt a Unified Land Development Ordinance combining the zoning ordinance, the subdivision ordinance and various development regulations now contained in various chapters of the City Code.
- h. Create an arts district overlay or use other zoning approaches to protect and support the "Arts Industry" that has traditionally bloomed in the City

but is in danger of being pushed out unless the City actively supports the existing industrial zoning or actively changes it through new techniques that will protect this sector of the economy.

- i. Make sustainability the watchword for all the City's future endeavors particularly in regard to the built environment but in many other sectors of the economy as well; emphasize restorative and regenerative development.



**NJSA 40:55D-89b:** Determine the extent to which such problems and objectives have been reduced or have increased subsequent to that date.

There has been a great deal of progress in the categories of parks and parking although much remains to be done. The City's park acreage of 30 acres in 2004 or 0.78 acres per 1000 population - has increased in a variety of forms and at multiple sites around the City including a beach which has been created at Maxwell Place. A recent updated tally reflecting previously identified "planned" open space which has been constructed, as well as several spaces previously overlooked, has brought the total to more than 48 acres. Using the U.S. Census showing Hoboken's 2010 population at 50,005, the current open space ratio is 0.96 acres per 1000. Nevertheless, such a ratio is low even compared to New York City's ratio of 2.5 acres per 1000.

Obviously, as the City develops additional housing, there will continue to be a significant need for public open space to not only keep pace but to get closer to the ultimate goal of healthy proportion of open spaces to meet the population's needs. The Open Space Element of the 2004MP should be revised based on corrections and additions to the public open space inventory and the most accurate available population estimate. The "Open Space Plan Map" has been corrected and is included in this Reexamination Report.

Parking, biking and pedestrian issues have begun to be addressed and mitigated. Innovative programs have been started providing both improved service and options to car ownership. These include bike lanes and sharrows, additional shuttle buses and expanded "car sharing"

programs (corner cars & Zip cars) for people who do not own a car but occasionally need one. Significant funding has been secured for a variety of studies targeted at improving pedestrian safety on Hudson Place at the PATH entrance & Observer Highway and improving traffic circulation in the southwest. Project approvals have ensured that the light rail stops will have retail and restaurants in adjacent plazas.

The Neumann Leather Factory was saved from complete demolition through a denial by the Zoning Board of Adjustment. Since 2004, seven redevelopment studies began but only one progressed to become a full plan. Currently, several studies are being revisited.

The Unified Land Development Ordinance was prepared but not acted on. Until that ordinance or many smaller ordinance amendments are adopted, the City will not be able to move forward on many needed changes that relate to land development and the approval process. The problems identified in NJSA 40:55D-89a above are listed below with the responsive actions or lack of action shown in italics.

1. **TRANSPORTATION: Make Hoboken a better place for pedestrians, bicyclists, and transit riders, while improving conditions for those who drive.**
  - a. **Make it safer to walk and bicycle with new facilities, intersection improvements, etc.**
    - *Dedicated bike lanes, sharrows, pavement changes, intersection improvements have been made around town.*

- *Over 15 percent of the City's streets are already designated with bike lanes*
- *Speeding has been reduced by over 30 percent on streets designated with bike lanes.*
- *Over 600 bike parking spaces exist in Hoboken, and that number is projected to increase by 250 spaces.*
- *An expanded set of bicycle safety laws are underway.*
- *Due to potential liability concerns, parking along Hudson Street between 2nd Street and 4th Street was change from angled to parallel parking, as it was traditionally configured approximately ten years ago.*
- *Safe Streets to Transit funding has been secured for pedestrian safety improvements in the Hudson Place area near the Terminal; likely to be used to widen sidewalk outside Terminal (\$160,000).*
- *Funding received for pedestrian safety improvements along Newark St. and for traffic improvements to Observer highway (\$2.24 million).*

**b. Provide improved transit access with expanded light rail service and a system of jitney routes Citywide.**

- *Former "Cross-Town" mini-bus converted to the new HOP bus; the City is embarking on a new effort to bring community shuttle bus service to within two blocks of almost every resident.*
- *First intra-City shuttle bus routes implemented, with two in place and a third in the works; intra-City transit provides residents with a reliable and cost-efficient option for local travel needs; also integrated*

*senior bus into City-wide transit; seniors ride bus for free.*

- *Buses now have GPS systems which allow for location information to be made available via text message, phone and internet.*



**c. Increase the public parking inventory through shared parking, new garages, and better utilization of existing facilities.**

- *City has begun investigation of illegal use of parking permits within public garages which has and will continue to free up quite a number of parking spaces.*

- *A new car-sharing program called "corner cars" has been established with Hertz to provide cars around town in dedicated street parking spots for hourly rentals.*
- d. Provide shuttles and taxi stands to serve the garages, light rail stops, and Washington Street.**
- *The HOP has these among many other stops.*
  - *The City has relocated the terminal taxi stand and has added a dispatcher during peak periods; it has added taxi stands and is cracking down on illegal cabs and illegal activity; it has undertaken community outreach to reinforce the ability to hail a cab; more work needs to be done to spread taxi stands around and make the cabs more accessible to a wider public.*
  - *Additional taxi stands have been added and community outreach has been undertaken to reinforce ability to hail a cab within the City; crack down on illegal cabs has been initiated.*
- e. Use flexible pricing, information technology, and improved signage to promote use of empty garages.**
- *960 metered parking spaces are planned to transition from individual meters to multi-space meters which have the ability to have flexible pricing at different times of the day, including special pricing for delivery vehicles during certain hours; if successful, it may be possible, to eliminate loading zones, freeing up additional street space for other uses.*
- *For residents who commute every day by car the City now offers a new parking option called "Monthly Limited." This option offers a reduced monthly rate which represents approximately 30% off the standard monthly rate; however, the reduced rate requires that owners must remove their cars from the garage weekdays between the hours of 10:00 am and 4:00 pm. Additionally, "Monthly Limited" permit holders are granted two days in which they can be in the garage during the 10:00 am to 4:00 pm period. If these days are not used during month, they can "roll over" and be collected throughout the year for various purposes, such as leaving the car in the garage while on a vacation.*
- *As a result of feedback received from the business community, the City of Hoboken is now offering businesses a new free parking permit option allowing discounted parking in municipal garages. The new option is only valid in combination with the purchase of \$5/day merchant coupons to park in municipal parking garages and does not permit on-street parking. The original \$200 business permit that also allows on-street parking is still available as an option.*
- *A new "vacation parking" option allows residents to keep their car in one of the City's garages up to 14 days per year at the discounted fee of \$5/day. Residents require the same documentation as required for a Resident parking permit.*
- f. Relocate and/or redesign the passenger drop-off area and taxi stand near the Terminal.**
- *Taxi stand has been relocated; no re-design yet.*

- *Taxi stand has been shifted east along Hudson Place past River Street to improve traffic flow, pedestrian movement, and operations.*
- g. Convert Observer Highway into Observer Boulevard (trees, bike paths, pedestrian safety elements).**
- *City has secured \$240,000 in federal funding to improve safety along Newark Street from River to Washington Street.*
  - *City has hosted community-visioning sessions for ideas to improve pedestrian & bike safety along Newark Street & Observer Highway.*
- h. Restrict curb cuts in residential areas (increase from 50 to 75ft. the minimum parcel width required to provide parking).**
- *No zoning amendments adopted to date.*
- i. Redesign the street system in the southwest corner of the City; recognize Paterson Plank Road as a historic road.**
- *City is participating in a Jersey City/Hoboken Sub-Regional Transportation Study sponsored by Hudson County to improve the connectivity between the two cities in this area.*
- 2. COMMUNITY FACILITIES: Modernize school facilities; create an array of facilities consistent with demand for social and cultural enrichment.**
- a. Make parks the focal points of neighborhoods with community and cultural facilities grouped around them.**
- *The Henkel chemical plant property was targeted for a new middle school & high school plus playing fields with the aid of state funding; as of December 2010, the City is pursuing acquisition of the site for parkland with several funding sources.*
  - *Open space and recreational fields and possible school facilities are still being pursued.*
- b. Create state-of-the-art school facilities for use by the whole community.**
- *State budget cuts and the poor current state of the economy have indefinitely postponed the hoped for new high school and middle school.*
- c. Consolidate emergency services in modern facilities, in the center of town restoring a former contaminated site to safe and productive use.**
- *The City is still looking for a permanent site to relocate the DPW garage.*
  - *The formerly contaminated Superfund site has been mitigated and sold.*
- d. Convert historic schools, fire stations, etc. into charter schools, cultural incubators, community centers, etc. when new ones are built.**
- *No action taken to date.*

**e. Alleviate the shortage of theatres and other performing venues & galleries.**

- *Several development projects were approved with commitments to provide public art galleries and/or live/work space for artists.*
- *A 5-screen cineplex (Clearview Cinema) opened in the summer of 2010 near the 14th Street viaduct within and pursuant to the Northwest Redevelopment Plan.*
- *An amendment to the Northwest Redevelopment Plan in 2006 will enable an existing music studio (Water Music) to re-build and to provide a community theatre and gallery spaces; a proposed amendment to further enlarge the community space and add educational space as well is under consideration.*

**3. PARKS: Increase acreage to 60 acres and showcase the best that landscape architecture and park programming can offer.**

**a. Complete the waterfront walkway and line with parks and piers designed for both active and passive recreation.**

- *The Shipyards Planned Unit Development (PUD) completed 1.7 acres of park as well as a recreational pier and a marina as part of its development which is substantially complete and occupied; it has completed its portion of the waterfront walkway.*
- *New Jersey Transit completed a portion of the walkway immediately south of the Erie Lackawanna*

*Terminal connecting to Jersey City's Newport section to Hoboken via the Long Slip pedestrian bridge.*

- *The City completed a soccer field and the waterfront walkway on the portion of the waterfront that was City-owned (1.4 acres).*
- *Stevens Institute of Technology has built much of their portion of the waterfront walkway.*
- *The South Waterfront Redevelopment Plan (substantially complete and occupied) has contributed Pier A Park (4.5 acres) as well as the mandated waterfront walkway and recently Pier C park (2.5 acres).*
- *The City has built a waterfront skateboard park using Green Acres funding (0.1 acre).*
- *The Maxwell House PUD has completed 4.85 acres of waterfront park and has recreated a natural sand beach as part of its development which is substantially complete; it has completed its portion of the waterfront walkway.*
- *The Hoboken Cove PUD is about 50% complete and occupied and has created 5.1 acres of public park space as well as its portion of the waterfront walkway.*
- *Hudson County has authorized funding to build the missing public portion of the waterfront walkway along Weehawken Cove, with Weehawken slated to complete its connection to Hoboken once it is underway.*

**b. Build new parks, ball fields, and other recreation facilities in redevelopment areas and other parts of the City that have severe shortage of open space.**

- A 10,000 sq. ft. (0.23 acres) green plaza adjacent to the ShopRite supermarket has been built in the Northwest Redevelopment Area.



- A 12,040 sq. ft. (0.28 acres) public plaza adjacent to the development known as 800 Jackson St. has been built in the Northwest Redevelopment Area.
- A formerly vacated street has been designed to be part of a large public plaza (1.22 acres) within the approved Monroe Center development in the Northwest Redevelopment Area; the designated redeveloper has since filed for bankruptcy; the future of the approved development will require revisiting the Redevelopment Plan.

- The South Waterfront Redevelopment Plan was amended to increase view corridors and increase the area of grade level public plazas near the waterfront; the public plaza (0.3 acres) adjacent to the W Hotel has been built.
  - In 2005-2006, the City negotiated the purchase of the privately owned 1600 Park Avenue site (approximately 2.1 acres) between the two viaducts with the participation of the Hudson County Open Space Trust Fund.
  - In 2007, the City secured funding to build a boathouse and kayak launch in Weehawken Cove and to develop the 1600 Park site.
  - In 2008, as a result of a public referendum, the City created a local Trust Fund for Open Space Acquisition.
  - In 2010, the City secured funding from multiple sources (Green Acres, Hudson County Open Space, Trust for Public Lands & Toll Brothers) to complete the design and development phases of 1600 Park and the adjacent Weehawken Cove walkway and park site; environmental cleanup for 1600 Park is complete although remediation is still ongoing for Weehawken Cove; public meetings are scheduled for input as to the design of these important public open spaces.
- c. Unify the entire park system via a pedestrian and bicycle “circuit” – an urban greenway.**
- The waterfront portion of such a circuit is almost complete.

- *Several development approvals on the west side of the City have been required to provide publically accessible open space, and begin to form the green circuit.*
  - *A bicycle/pedestrian connectivity study is under way, funded by the New Jersey Department of Transportation.*
- d. Provide additional open space and community facilities wherever development occurs.**
- *No zoning or redevelopment plan amendments have been adopted to date to accomplish this objective.*
- e. Improve the area underneath the Fourteenth Street Viaduct for pedestrian and small-scale recreational uses.**
- *With the cooperation of Hudson County in conjunction with the federally-funded rebuilding of the 14th Street Viaduct, the 14th St. marginal (at-grade) roads will be re-paved and partially closed to traffic; in addition, the area under the viaduct will be transformed into a combination of passive and active recreation areas (including multi-use courts, multi-use space for community use, a playground and a dog run) which were formulated as a result of an extensive collaborative public process involving local, county and federal officials.*
- f. Encourage water-dependent and water-oriented recreational uses on the waterfront; limit commercial uses in waterfront areas to support activities.**
- *Sinatra Park on the waterfront at 5th Street and Sinatra Drive has a public soccer field, small restaurant and a kayak launch*
  - *The privately developed Maxwell House waterfront park and beach (4 acres) will be transferred to the City as a fully public open space.*
  - *Both a marina and a commuter ferry have been established at piers within the Shipyard's development.*
- g. Preserve historic buildings as well as the natural beach area on the Maxwell House site.**
- *The entire site was demolished and developed without any preservation.*
  - *A natural beach has been created and is open to the public.*
- h. Limit development on piers.**
- *None of the waterfront developers within the I-1(W) district have been permitted to develop residential uses on their piers; they have built public recreation, marina and ferry operations.*
- 4. HOUSING: Maintain diversity in the types of housing.**
- a. Revise the City's inclusionary housing rules to assure that a certain percentage of housing stock is affordable to moderate income people.**
- *The City intends to continue to pursue COAH compliance; COAH is undergoing significant challenges at the state level.*

- *No comprehensive, definitive list of all affordable housing in the City showing current status and its future within the program has been prepared.*
  - *No detailed analysis comparing local household income to the current cost of housing has been prepared to determine whether the legally defined term "affordable housing" truly serves local need.*
- b. Create innovative zoning to promote homeownership and larger housing units to make Hoboken more family-oriented and less transient.**
- *90 affordable units were built in the Northwest Redevelopment Area.*
  - *No inventory of the City's housing stock has been prepared which breaks down unit size and bedroom count as a necessary foundation to create policy.*
- c. Maintain the lower densities and heights in residential zones.**
- *No zoning amendments have been adopted to change the current densities or permitted height.*
- d. Continue to permit mixed uses but maintain predominantly residential character; maintain the 1,000-square foot limitation on non-residential space in predominantly residential areas; permit bed and breakfasts in accordance with specific restrictions; permit home occupations as long as any detrimental impacts are mitigated.**
- *No zoning amendments have been adopted to change the existing zoning or to create new zoning regulations.*
- e. Modify district boundaries of residential zones.**
- *No zoning map changes have been adopted to modify the residential district boundaries except for the Castle Point Historic District.*
- 5. ECONOMIC DEVELOPMENT: Encourage development that will add to the City's tax base but will not create a bedroom community.**
- a. Support Washington Street as the shopping and social "Main Street" of Hoboken featuring a management and marketing provided by a Special Improvement District.**
- *No zoning amendments have been adopted to change the current regulations.*
  - *No Special Improvement District has been created yet.*
- b. Ensure that the southeast corner of the City has modestly scaled office buildings located near Hoboken Terminal; provide additional open space and community facilities.**
- *In 2005, the City attempted to amend the zoning map and zoning ordinance to adopt the B-3 zoning district recommended in the Master Plan with 12-story mixed-use buildings; it was withdrawn in favor of a redevelopment plan approach which initially included the City-owned Department of Public Works site and the Neumann Leather complex; the*

*City subsequently separated off the Neumann Leather site so the City could move ahead with the Departments of Public Works site.*

- *The Department of Public Works site was found in need of redevelopment and a plan was adopted in 2006; the Plan was amended to allow a primarily residential development with various heights ranging up to 12-stories.*
- *In 2007, the redevelopment plan put forward by New Jersey Transit (NJT) for the entire train yards south of Observer Highway and east of Henderson Street proposed colossal sized residential and office buildings; the City rejected the proposal and is pursuing a significantly reduced scale plan.*



- c. **Provide adaptive reuse of the historic Terminal’s ferry concourse to create a new magnet for the City—perhaps a public market (like Pikes Market in Seattle), a recreation**

**facility (like Chelsea Piers), a catering hall, or a conference/convention center.**

- *NJT recently revised its 2007 proposal, and now intends to redevelop as phase 1 the Terminal and a 1.8 acre portion of its 52-acre redevelopment area property; the City has hired a redevelopment planner but has agreed to coordinate with the NJT Studio Class to develop ideas to redesign the terminal area in a way that integrates it with the City and provides public spaces and resolves issues of use, urban design and traffic circulation; public input will be a major component of this approach.*
- d. **For the northwest corner of the City, mandate a mix of new specialized offices, limited live/work space, and “medium box” sized retail stores; create a boulevard on Fifteenth Street west of Park Avenue.**
- *Although the City began a redevelopment investigation study in 2004 for the area north of the 14th Street Viaduct to carry out this Master Plan objective, the study was not fast-tracked in 2006; the area north of the Light Rail Transit tracks (NoHo) was separated and recommended by the Planning Board to be in need of redevelopment but the Council did not act to affirm the Planning Board's recommendation. No further action was taken on the investigation study of the balance of the study area. No zoning changes were recommended.*
  - *The State announced that it would be building a tunnel (known as Access to the Region's Core, ARC) which was to have its ventilation chambers in the NoHo area and it began to condemn and acquire*

properties there. In the fall of 2010 the Governor rejected the ARC Tunnel project and halted work done to date.

- No amendments have been made to either the zoning map or zoning regulations to allow the uses recommended in "d" above.
- e. Ensure that each ferry and light rail stop will have service amenities to create "places".**
- The 9th Street Light Rail Transit stop is adjacent to a Northwest Redevelopment Plan project (800 Jackson Street) that was built with a 750 sq. ft. retail space immediately adjacent to the stop as well as a restaurant with almost 2100 sq. ft. of customer service area facing a 12,040 sq. ft. public plaza with multiple benches arrayed around a grass lawn specifically to serve as adjunct space to the stop.
  - The 2nd Street Light Rail Transit stop is adjacent to an approved project (132 Marshall Street) which will have two retail spaces (one 1730 sq. ft., the other 8290 sq. ft.) as well as a 1920 sq. ft. cafe/restaurant opening onto a plaza facing the Light Rail Transit stop.
  - The southernmost stop of both the Light Rail Transit and the ferry is at the Erie-Lackawanna Terminal which has a range of indoor shopping and dining and will have much more as a result of the redevelopment plan which has yet to be reformulated and adopted by the City.
  - The northernmost ferry stop at the Shipyards is within a short walking distance of assorted retail and restaurants as well as a small supermarket which sells coffee and snacks; the entire waterfront is lined with pedestrian walkway/bike path.
- f. Permit retail uses above street level in the Retail Core area and permit larger maximum floor area where permitted above the ground floor.**
- No zoning amendments or zoning map amendments have been adopted to date to accomplish this objective.
- g. Mandate street level retail and prohibit residential and non-real estate office uses in "Primary Retail Streets"; increase the maximum permitted floor area of ground floor retail uses in certain mixed-use areas.**
- No zoning amendments or zoning map amendments have been adopted to date to accomplish this objective.
- h. Encourage additional neighborhood retail on Secondary Retail Streets.**
- No zoning amendments or zoning map amendments have been adopted to date to accomplish this objective.
- i. Promote ground floor retail around Light Rail Transit stops; encourage additional office space in appropriate locations; encourage a mix of uses in new developments; promote a better mix of retail uses.**
- No zoning amendments have been adopted to date to accomplish this objective.

6. **LAND USE:** Create a balance of uses so that Hoboken is not just a residential enclave, but continues to be a true urban village.
- a. **Preserve the heart of Hoboken as a historic district, with a new type of review process that allows innovative design as it assures contextual development.**
    - *The only change has been the new Castle Point Historic District with related changes to the zoning ordinance to protect and support it.*
  - b. **Complete the waterfront with one continuous park and many upland connections (learning from places like Battery Park City).**
    - *The waterfront walkway is substantially complete (see discussion above under parks).*
  - c. **Ensure that any new development in former industrial areas in the western section of the City takes the form of residential neighborhoods, with mixed-use development and shopping at the transit stops.**
    - *To develop "neighborhoods" it takes a redevelopment plan rather than zoning; the Western Edge Redevelopment Plan (drafted in 2007 but not adopted) has a new consultant and has been re-written and is under review prior to referral to the Planning Board; and the Southwest Area has a new consultant to re-start the investigation study which had been re-done but not completed.*
  - d. **Create the "Underbridge Economic Development" area in the northwest corner of the City featuring a walkable environment offering the type of shopping and uses ("medium box" retail) that residents normally have to leave town for.**
    - *No zoning amendments or zoning map amendments have been adopted to date to accomplish this objective.*
  - e. **Use new zoning tools wherever larger scale development is permitted, to mandate mixed-use development, including live/work space, artist housing, and ground floor cultural uses; require public benefits like open space and cultural facilities.**
    - *No zoning amendments or zoning map amendments have been adopted to date to accomplish this objective.*
  - f. **Protect Willow Court.**
    - *No zoning amendments or zoning map amendments have been adopted to date to accomplish this objective.*
  - g. **Require appropriate uses along the edges of the Stevens Institute of Technology campus.**
    - *No zoning amendments have been adopted to date to accomplish this objective.*



**7. DESIGN: Require high-quality design that will build the historic districts of the future.**

**a. Develop “green” architectural standards to create a new, environmentally sensitive design prototype to complement the traditional form.**

- *In November of 2008, the City adopted an ordinance requiring City projects to meet LEED silver standards.*
- *Currently, the City is looking to develop ordinances and policies to require green technology in private development.*

**b. Amend and improve the City's design guidelines.**

- *No zoning amendments have been adopted to date to accomplish this objective.*

**c. Maximize historic districts, design overlays and discretionary design review (in the redevelopment areas) to assure the type of design input that residents want.**

- *No zoning amendments have been adopted to date to accomplish this objective.*
- *The only change has been to add the Castle Point Historic District and make related zoning changes to protect and support it.*
- *No other historic districts have been mapped to date.*

**d. Enact ordinances to insure burial of utility wires and wireless technologies that allow streets to be tree-lined and free of overhead wires.**

- *No zoning amendments have been adopted to date to accomplish this objective.*
- e. **Improve the facades of the three public parking garages on Hudson and River Streets.**
  - *No action has been taken.*
- f. **Protect the historic character and grandeur of the Terminal's ferry concourse and other areas; improve and expand the existing outdoor public spaces around the Terminal; relocate the outdoor markets and events to Terminal Plaza.**
  - *No action has been taken to date but the City is working with the NJT Studio Class as mentioned above to determine the appropriate uses of these spaces.*

## 8. ZONING AND REDEVELOPMENT PLANNING:

- a. **Encourage appropriate redevelopment of key underutilized sites; encourage hotels in the area near the Terminal.**
  - *No detailed examination of each underutilized site has been prepared as needed prior to making necessary amendments to the zoning ordinance.*
- b. **Provide regulations to guide any possible redevelopment of the Neumann Leather Factory with a mix of uses (commercial and artist live/work/display space) with possible density and/or height bonuses for provision of community amenities and preservation of existing historic structures where possible;**

**include the existing City Garage property and the adjacent surface parking lot.**

- *Development of the Department of Public Works site has been permanently separated from the Neumann Leather site in order to protect the Neumann Leather site from inappropriate development which might drive away the "arts industry".*
- *The City initiated a zoning change in 2005 (withdrawn) and then a redevelopment plan (not completed); a development application for the Neumann site to the Zoning Board of Adjustment was denied in 2010.*
- *The City has begun to consider creative zoning or "area in need of rehabilitation" controls in order to protect the existing industrial buildings that contain a lively mix of uses; "area in need of rehabilitation" designations do not bring the power of eminent domain nor do they permit PILOT's, however they allow for five-year tax abatements or exemptions. They still require a redevelopment plan, designating a redeveloper and adopting a plan providing detailed regulations for the rehabilitation of existing structures and, if desired, new construction.*
- c. **Promote redevelopment that is more industrial in character; reuse existing older buildings in the area when possible; save and highlight remaining industrial features; encourage use of cobblestone streets.**
  - *No regulations have been put into place which would protect existing buildings and features, encourage their preservation and reuse or require new buildings to be designed in an industrial style.*

**d. Consider changing the zoning for the small area located north of the light rail tracks**

- *In 2007, the Planning Board completed a redevelopment investigation study of the area north of the light rail tracks (NOHO) and found that the area was in need of redevelopment; the recommendation was sent to the Council but the Council did not act to affirm the Planning Board's recommendation.*
- *The State announced the construction of a tunnel (known as Access to the Region's Core, ARC), which was to have its ventilation chambers in the NoHo area and it began to condemn and acquire properties there. In the fall of 2010 the Governor rejected the ARC Tunnel project and halted work done to date; the future of this area of Hoboken is uncertain.*

**e. Diversify uses in the main Post Office building; move the more "industrial" operations of the post office to another location.**

- *No discussions have occurred with the Post Office to determine if such a move is possible; no zoning actions have been taken.*

**f. Carry out the zoning map amendment recommendations of the Master Plan including changes to existing district boundaries, change of district designations, and creation of new overlays.**

- *No zoning map amendments have been made to date other than the Castle Point Historic District discussed above.*

**g. Adopt a Unified Land Development Ordinance combining the zoning ordinance, the subdivision ordinance and various development regulations now contained in various chapters of the City Code.**

- *The Unified Land Development Ordinance was prepared but not acted on.*



**h. Create an arts district overlay or use other zoning approaches to protect and support the "Arts Industry" that has traditionally bloomed in the City but is in danger of being pushed out unless the City actively supports the existing industrial zoning or actively changes it through new techniques that will protect this sector of the economy.**

- *The City actively supported preserving the existing industrial zoning when it overturned a ZBA approval for a residential building in the I-2 zone; the I-2 zoning designation may act to keep rents at industrial levels which will help the "arts industry" in the most basic way.*
- *The Administration's special redevelopment counsel and the planners are exploring options to develop several new techniques (e.g. designations as "area in need of rehabilitation") that will protect this sector of the economy - different techniques may be needed for different sites.*



- i. **Sustainability must be a consideration in all of the City's future endeavors, but in particular in the built environment. Moving beyond sustainability toward a regenerative process is recommended.**
  - *A City Ordinance requiring all city building to be LEED was approved in 2008.*
  - *An ordinance to permit solar installation is under consideration in the city.*

**NJSA 40:55D-89c:** The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials and changes in state, county and municipal policies and objectives.

#### **Changes in Assumptions, Policies and Objectives**

The following changes in Assumption, Policies and Objectives noted below are those changes that have or will have an impact on local land uses policy within the City.



#### **LOCAL**

The new administration has set about to make significant changes to the City's administrative as well as land use policy and practices. A "greening" of the City has been clearly identified as a priority by the Mayor. This includes a significant push towards the physical greening of the city as well as an exploration of greener policies and practices.

Additionally, there is a continued interest in the effective use of area in need of redevelopment designations and a further consideration of area in need of rehabilitation designations in the City. These factors and the resulting changes to the land use policies were identified and explored by the Reexamination Committee and full Planning Board and are currently reflected in this report.

The largest change in assumptions as it relates to Hoboken encompasses the overarching concept of **sustainability** which is now on both the national agenda and under significant discussion for implementation in the City. While the term Sustainability is in common use, its meaning is rarely defined or understood. In terms of this report, Sustainability will be described by its four tenets: **economics** (the New/Next/Green Economy), **environment** (climate change, in particular), **equity** (reducing the divide between those with the least and those with the most), and **institutionalization** (how the status quo, needs to adapt to this new paradigm). This can be done incrementally through the addition of a Green Plan and select revisions to the Master Plan or by the City taking a bold new or next step toward a Sustainability Master Plan.

### Changes in Policies and Objectives

Climate change, with the accompanying sea level rise, storm water management and flooding issues, will be something that vulnerable cities such as Hoboken will need to take into account as they plan for the future. There is a high likelihood that these shifts in extremes will have serious ramifications on coastal municipalities that were at the forefront of being settled and therefore have already been pretty much built out. Now these municipalities have to deal with antiquated infrastructure as well as with patterns of development that are in direct conflict with non-structural climate change mitigation strategies.

Public open space is also a significant priority with the administration. Open space in the City is often considered in terms of parkland and its suitability for active recreation. However, future open space will be required to play a more significant role in the future as these areas will be called upon to achieve multiple objectives related to environmental and sustainability issues. The attainment of future parklands within the City will require creativity and a commitment of public funds as well as a leveraging of those funds likely to be linked with development (particularly in the North, Southwest, Western Edge and other remaining redevelopment areas). These parklands will be required to serve multiple functions such as recreational needs (active and passive), as well as serve as components of a green infrastructure to help to address the serious water quantity (flood mitigation) and quality (nutrient uptake) issues in the City.

The designation of areas in need of redevelopment will continue to be utilized as a tool for the City. However, it is anticipated that the City will also begin to utilize the lesser

known, area in need of rehabilitation designation to achieve multiple objectives that may have thus far eluded the City. As explained earlier in the Report, the City is not empowered to use eminent domain within an area in need of rehabilitation. Nor can it grant PILOT payments. However, the City can designate the site redeveloper and adopt a plan which provides detailed regulations for rehabilitating existing buildings and, if desired, constructing new ones. This tool's use is recommended in conjunction with the use of standard zoning to help to define and



protect some of the assets and special attributes of the City. It will be necessary to balance development interests with current sustainable practices including: minimizing energy consumption through adaptive reuse and in new construction, utilizing a green building rating system (LEED, Green Globes, Living Buildings, etc.); incorporating green roofs, rain gardens, bio-swales, living walls and other

common systems as well as addressing other quality of life issues.

Additional innovations associated with the above policies are those relating to the transportation initiatives. The City is taking an aggressive approach to reducing traffic and vehicular use by offering many alternatives to car ownership: improved intra-city mass transportation ("The Hop"); road-sharing programs to better accommodate bicycles; a car "sharing" program ("Corner Car") and other incentives to forgo car ownership/use, as well as providing additional bicycle parking throughout the City. In general the City has undertaken a comprehensive exploration of parking and transportation improvements that will help to improve the quality of life in the City. Further, the City is strongly committed to improving circulation and addressing the larger issue of sustainability. In these times of fiscal austerity, there are enormous opportunities for a progressive municipality and county not only to address the environmental concerns, but also to address the potential economic and social equity benefits as well.

Additionally, there are policies, laws and regulations that will be required that will directly impact how the municipality moves forward with regard to planning for a sustainable future.

### **Open Space Tax**

In response to a successful non-binding referendum, the City Council (2008) approved legislation for the inclusion of an Open Space Tax which requires property owners to pay 2 cents on every 100 dollars in assessed property value. These funds are placed into an Open Space Trust Fund, which the City shall use to acquire and develop new parkland.

Identified below are some of the primary county and state issues that will affect the City over the next few years.

### **COUNTY**

#### **Hudson County Reexamination of the Master Plan**

In 2008, Hudson County reexamined its 2002 Master Plan evaluating each of the elements as well as the Hudson County Stormwater Pollution Prevention Plan and the 2005 Hudson County Open Space Recreation and Historic Preservation Plan. These Plans served to supplement, update and amend the Hudson County Master Plan. Within the County Master Plan, Hoboken's 2004 Master Plan was evaluated and the following stated, "*The Hoboken Master Plan appears to be in agreement with all the goals of the Hudson County Master Plan with the possible exception of encouraging manufacturing, as the plan focuses on residential and commercial uses and proposes re-zoning some industrial land to other uses*".

Since April 2004 when the Hoboken Master Plan was adopted, there have been changes in both policy and administration within the City. Based on these changes, the 2010RX has specifically examined the above-mentioned issue and is recommending maintaining the existing industrial zoning district designations while allowing for industrial arts/artisan uses that will complement the industrial zones rather than rezoning these areas as proposed in the Master Plan. This change provides greater consistency with the County Plan but more importantly, is consistent with the local policy changes as identified within this Report.

Of interest in the County Plan was the attention paid to examining “reports documenting climate change and other environmental research and its impact on Hudson County communities”. The Plan examines this issue in the various elements and is an issue of importance to the City of Hoboken’s administration. The County Plan may provide an opportunity to partner with both the County and adjacent waterfront municipalities to develop climate change mitigation strategies while addressing the City’s flooding and the challenges anticipated with the rising seawaters.

## **STATE LEGISLATION**

### **Municipal Land Use Law (MLUL)**

While there have been many changes and adjustments to the MLUL, the significant ones relative to Hoboken are identified below.

#### **Permit Extension Act of 2008 (amended 2010)**

As has been done in past economic downturns, this legislation was in response to the current economic crisis, and protects approvals from expiring. The Permit Extension Act of 2008 protected against the expiration of certain state, county and municipal land development approvals which were “tolled” from January 1, 2007, to July 1, 2010. The Act was intended to protect approvals and prevent the abandonment of projects due to the difficult economic conditions. In January of 2010, the tolling of the Act was extended until December 31, 2012.

#### **State Transfer of Development Rights (2004)**

In 2004, the State Transfer of Development Rights (TDR) Act was signed into law, authorizing transfer of

development rights by municipalities throughout the state. To utilize a TDR program, a municipality needs to meet some onerous requirements including the adoption of additional elements to the Master Plan (Transfer Plan Element, Utility Service Plan Element, Capital Improvement Plan), conduct a real estate market analysis, as well as receive Plan Endorsement from the State Planning Commission. However, the City may readily utilize a simpler and equally effective tool involving the transfer of density between non-contiguous properties. This provision is permitted only within planned developments, but allows for the shifting of density from one property to another. The use of transfer of density provides yet another resource to complement and support other zoning or redevelopment efforts.

#### **Green Buildings & Environmental Sustainability Plan Element (Green Plan) 2008**

With the increasing awareness of climate protection and interest in sustainable planning and development practices, the MLUL was amended in 2008 identifying the **Green Buildings & Environmental Sustainability Plan Element** or Green Plan Element as a component of a municipal master plan. This element encourages the conservation and efficient use of natural resources; consideration of renewable energy systems, consideration of building impacts on the local thru global environment; and conservation and reuse of water resources. The City should continue to explore the preparation of such a document.

#### **Wind and Solar Facilities**

The MLUL was amended in 2009 to allow wind and solar facilities as permitted uses on parcels of land comprising 20 or more contiguous acres in industrial zones and to make

renewable energy facilities an “inherently beneficial use” (one that serves the public good by its very existence). The MLUL was further amended in 2010 to prevent municipalities from unreasonably limiting small wind energy systems that generate power primarily for on-site consumption and to exempt solar panels from impervious coverage calculations. The City is currently considering local amendments to accommodate these facilities.

#### **Abolishment of Time of Decision Rule**

Probably the most significant amendment to the MLUL in 2010 was the abolishment of the long followed time of decision rule which favored municipalities and was “forgiving” by allowing a municipality to make zoning changes up to the final moment of a development/land use approval. The new rule, which will go into effect in May of 2011, now favors the developer by requiring that zoning that is in place at the time of the filing of a development application will govern for the review and approval of an application. Any zoning ordinances adopted subsequent to the date of submission of an application, shall not be applicable to that application. This change requires municipal diligence to ensure that the zoning ordinances are current and that the consequences of those ordinances are understood.

#### **Revised State Development & Redevelopment Plan**

The State Planning Commission Adopted “The New Jersey State Development and Redevelopment Plan” released a new draft revised State Plan in January 2010. At the state level, the New Jersey State Planning Commission and Office of Smart Growth have been slowly moving towards adoption of an updated State Development and

Redevelopment Plan (SDRP), though the timing and certainty of that process are presently unknown.

The purpose of the SDRP according to the State Planning Act at N.J.S.A. 52:18A-200(f) is to: Coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination.

The SDRP was originally adopted in 1992. A revised version of the plan was adopted by the State Planning Commission in 2001. While required by the State Planning Act to be revised and re-adopted every three years, the SDRP has only been re-adopted once during the 18 years since its original adoption.

#### **Council on Affordable Housing (COAH)**

In December 2004, the NJ Council on Affordable Housing adopted its Third Round rules, which apply a “growth share” methodology to determine the amount of affordable housing a municipality, must provide during the ten-year period of 2004 to 2014 (and now has been extended to 2018). Third Round Housing Elements and Fair Share Plans were to address three affordable housing components: the rehabilitation share, the prior round recalculated obligation, as well as the “growth share” obligation. The growth share methodology marked a significant departure from COAH’s two prior rounds of affordable housing obligation as the growth share approach directly linked the production of affordable housing with residential and non-residential development in each municipality. However, COAH’s third round rules met with severe opposition and litigation

beginning in 2007 and the rules have been in a state of turmoil. As a result of the lawsuits, general discontent with the provision of affordable housing and ineffectiveness of COAH, legislation was proposed in early 2010 to eliminate COAH or at least markedly change their authority. In October the Appellate Court invalidating substantive portions of the COAH regulations and declaring COAH's "growth share" unconstitutional. The regulations have been remanded back to COAH with a mandate to develop new regulations, based on the 1st and 2nd round methodologies within five months. It is yet to be seen whether COAH will be abolished as per the bills approved in both the House and Senate or whether the Supreme Court will rule on the various lawsuits.

#### **New Jersey DEP - Stormwater Management Rules Phase II New Jersey Pollutant Discharge Elimination System Stormwater Regulation Program Rules**

In February 2004, the NJDEP published two sets of new stormwater rules. The first set of rules is the Phase II New Jersey Pollutant Discharge Elimination System Stormwater Regulation Program Rules (N.J.A.C. 7:14A), which addresses the reduction of pollutants associated with existing stormwater runoff. A second set of rules, known as the Stormwater Management Rules (N.J.A.C. 7:8), set forth the required components of regional and municipal stormwater management plans and establishes both design and performance standards for new development. Together, the two sets of rules were intended to establish a comprehensive framework for addressing water quality impacts associated with existing and future stormwater discharges. The City of Hoboken adopted a Municipal Stormwater Management Plan (MSWMP), in 2006 pursuant to these regulations.

#### **New Jersey Highlands Water Protection and Planning Act of 2004 (The Highlands Act)**

This Act is of importance to Hoboken as the City gets more than 75% of all of its drinking water from the Highlands Region thru its water purveyor United Water. As the demand for potable water from both ground and surface water supplies continue to rise, the need for protection of this resource will also continue to gain in importance. The future of these rules and regulations impacting the Highlands Region may very well have an impact on all users of Highland's water resources, including the City of Hoboken.

#### **NJ State Energy Master Plan**

A statewide energy Master Plan was adopted in October of 2008 providing both a blueprint and guide as to how New Jersey will address global warming while meeting its' future energy needs. The Plan identifies how transportation, land use and energy are the major determinants as to the severity of climate changes in NJ and offers a multifaceted approach to addressing this challenge through: improved energy efficiency, development of clean energy businesses, and by controlling energy costs.

It is anticipated that through the initiatives proposed, the State will meet its mandate for a 20% reduction in carbon emissions by the year 2020. While the City has many initiatives that are supportive of the Plan and serve to mitigate the impacts of climate change, there is currently no formal City plan.

**Redevelopment Law**

Since the landmark federal case of *Kelo v. New London* in 2005, there has been a tightening of redevelopment law across the country. While New Jersey's Local Redevelopment and Housing Law (LRHL) was already considered mature and advanced when compared with that of the rest of the nation, the case brought to the attention of the general public one of the permissible components of redevelopment law or blight designation, which is the use of eminent domain to acquire private property and transfer that property to another.

Since that case, there has been a continued evaluation of the use of redevelopment in New Jersey and a refinement by the courts as to the use and application of the specific criteria. While use of redevelopment is still acknowledged as an effective tool for municipalities, these cases have "raised the bar" for notice requirements as well as for the interpretation and resulting application of the statutory requirements in redevelopment investigations. As a result, municipal investigations are subject to greater scrutiny. All investigations require a thorough analysis to establish the "proofs" necessary to withstand challenge.

**Gallenthin Realty Development, Inc. v. Borough of Paulsboro, (2007)**

This NJ Supreme Court decision is one of the most significant redevelopment cases in recent time. This decision clarified and refined the application of the "e" criteria of LRHL. It also reaffirmed the deference to municipal decisions provided that they are well documented and supported by substantial evidence.

**Harrison v. De Rose (2008)**

In the Harrison case, the Appellate Division agreed with a property owner who objected to the redevelopment designation nine years after said designation. The courts found that since the notice requirements were inadequate when considering the use of eminent domain, the property owner was not subject to a 45-day objection period because of this failure. The results of this decision are a heightened notice requirement (now considered the standard for redevelopment notice) and a serious reevaluation by municipalities as to whether adequate notification was provided in prior redevelopment proceedings where eminent domain may be utilized.

**NJSA 40:55D-89d:** Identify specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.

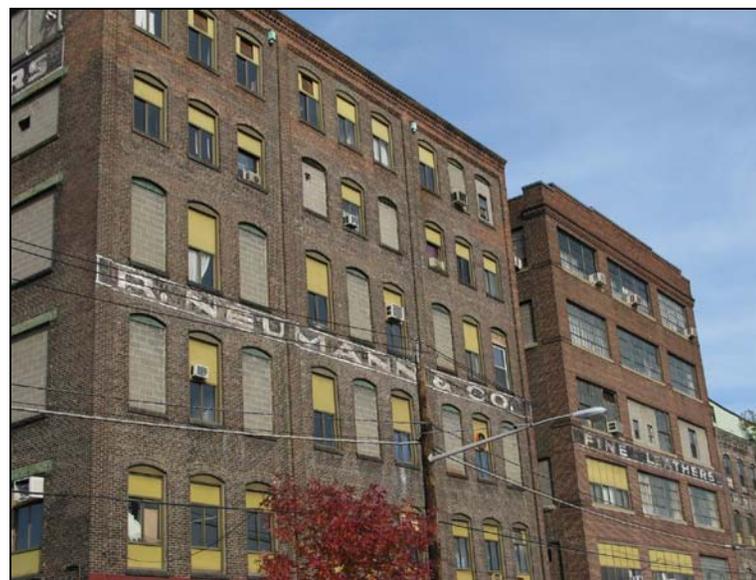
### IN GENERAL

Although the 2004 Master Plan presented analysis and recommendations in all areas traditionally covered by a comprehensive Master Plan, it did not organize itself into discrete plan elements other than the final Land Use Plan with accompanying Land Use Plan map which would be the basis of future zoning. The categories in the section below correspond to the major chapter headings used in the Master Plan. Recommendations are also based on interviews with both elected and appointed City officials.

The changes reflected in this Report identify a clear shift in some of the prior City policies and will require amendments to various elements of the Master Plan. While it is felt that many of the elements require some updating and fine-tuning as will be indicated below, this Report recommends that the following significant changes be made to the Master Plan: amend the Land Use Plan Element, amend the Open Space Plan Element and add a new Green Plan Element.

Additionally, throughout the Reexamination Report process, there have been meetings and discussions with the administration and governing body, as well as with the City's informed and active citizenry. A number of groups with a variety of interests have surfaced through the process. The relationship of these groups and their varying but interrelated interests, if coordinated, can be key to

future successes in the City. These groups are: Historic Preservation, Community/Industrial Arts/Artisans and a Quality of Life/Sustainability group. While these groups already exist in various and sometimes disparate forms in the City, they have helped to define the Hoboken that we know today. By encouraging their integration, it is hoped that a synergy can develop during this unique period. During the preparation of the Reexamination Report, it became evident that a process has begun in the City to foster citizen driven community plans. There is a sense of urgency to update and/or redefine the 'genius loci' or spirit of place for the urban village of Hoboken.



A representation of such a proactive plan is the one developed by the Neumann Leather Tenants Association (NLTA). These tenants occupy a building complex that is among the few remaining factories in the City that are

intact. The Neumann complex has been successfully reused by non-residential "arts and entrepreneurial businesses". Said businesses can be principally characterized as industrial artisans, artists and musicians. The NLTA was formed to protect the building site when a residential/mixed use development was proposed which threatened to completely displace the "entrepreneurial, inventive and creative culture" within the building. Although the development proposal was denied by the ZBA, no regulations are currently in place to give solid "protection" to the existing use of the complex. Retaining such 21st century arts and industry uses is fundamental to maintaining the unique quality of the City. Once regulatory techniques are developed, the City may be able to provide additional space to grow this sector of the City's economy.

Amplification of the above and additional recommendations follows:

- Develop a Green Plan Element. While the City is spearheading many new green initiatives, it lacks a document which identifies a coordinated and comprehensive approach to this complicated issue. A Green Plan would help the City to refine its goals and identify the important components of sustainability to be addressed by the City. The Plan should be developed with extensive input from a working group such as the one identified below. The Green Plan would help to define and coordinate a path and determine if additional plans or a Sustainability Master Plan is required. While the MLUL has identified a Green Buildings and Environmental Sustainability Plan (Green Plan) as an acceptable component to a Master Plan, a Green Plan Element in and of itself is less effective than

a Sustainability Master Plan since it compartmentalizes the "Green Element" as if it can be evaluated as a stand-alone concept or plan. Achieving a true sustainability or regenerative plan will require serious integration of all the Master Plan elements to correctly address this issue.



- A Sustainability Master Plan is not recommended at this time, as it is premature and without the necessary fundamental education and foundation for achieving a successful and effective tool. The foundation for such a plan may be initiated with a Green Plan Element which would be an important first step toward this effort. A coordinated and holistic approach, with significant public education and input is essential prior to embarking on a more advanced sustainability/regenerative plan for the City.
- Form a Reexamination Report Working group. This core group should be composed of the following: Historic Preservation, Community/Industrial Arts and Quality of

Life/Sustainability groups along with representative Planning Board members, who will assist in achieving the different objectives. The core group will work collectively on the overlapping issues that will constitute the basis of a Green Plan Element and future Sustainability Master Plan. This group should be large enough to be representative of the citizenry and community, but small enough to be able to work together as a cohesive and effective team.



The recommended corrections and/or modifications to the Master Plan Elements and zoning ordinances are detailed below. Note that because the 2004MP had so many recommendations, they could not all be responded to in this Report. Any policy not specifically identified as changed in this Reexamination Report can be assumed to remain valid. If such a master plan policy or recommendation appears to be contradictory to the 2010RX,

the Reexamination Report rules. The Planning Board will be the ultimate arbiter in the case of such a conflict.

### LAND USE PLAN ELEMENT

- Amend the Land Use Plan Element and the Land Use Plan Map as detailed below (see Land Use Plan Map in Appendix).
- Eliminate the previously recommended Industrial Transition [IT] zone districts and maintain the existing Industrial [I-1, I-2] zone designations. Over the past six years there has been no action to change the zoning. The recommendations of the 2004 Master Plan to create transitional zones with high-rise residential and mixed-use has been called into question and is no longer recommended. However, changes to the industrial zoning definitions and ordinances are recommended to include uses such as industrial arts and artisans, many of whom are currently not recognized in the ordinance.
- Eliminate the previously recommended residential [R-3] zone district designation recommended for the area called NoHo (north of the LRT tracks adjacent to Weehawken) and maintain the existing Industrial [I-1] zone designation. Until the future of the ARC Tunnel is fully resolved, the proper use of land cannot be determined.
- Eliminate the previously recommended Underbridge Economic Development [UED] zone district and maintain the existing Industrial [I-1] zone designation. Council has decided to proceed with a redevelopment investigation of this area rather than consider changes using standard zoning. Area in need of rehabilitation designation or zoning overlays might be appropriate in

this area to create an arts district. The 2004MP goals should be re-visited.

- Eliminate the previously recommended Hoboken Terminal [HT] and Railroad [RR] zone districts and maintain the existing Industrial [I-2] zone designation. Both areas have been designated as areas in need of redevelopment, and will be subject to a plan adopted by the City and built by NJT. The 2004MP goals (e.g. historic reuse, limited scale, public use and economic development including conference centers and recreation, etc.) are still valid.
- Adjust the Land Use Plan map and the Zoning map to move the zone line between the Waterfront [I-1(W)] and Industrial [I-1] zone districts north of 14th Street from the mid-line of Willow Avenue to the mid-line of Park Avenue as recommended in both the 2002 Reexamination Report and the 2004 Master Plan. The properties between Park and Willow Avenues are separated by a public street from the balance of the properties in the PUD [I-1(W)] district, and therefore cannot be included in the PUD.
- Map all of the adopted Redevelopment Plan areas by name, as districts. Also, delete the redevelopment area boundaries from Map 16, "Overlay Districts" which has identified some of the plan areas by their location although not by their names. The overlay mapping suggests that the Redevelopment Plan regulations constitute an overlay whereas in fact they constitute the zoning for the identified area. Without these changes the public may have no idea that the area is a designated Redevelopment Plan with its own specific regulations.
- Modify the central business district [CBD] zone boundaries and those of the R-1 and I-2 to accommodate the mapped Public Works Garage Redevelopment Plan as well as the Observer Highway Redevelopment Plan.
- Eliminate the Business [B] zones from Map 15 as follows: delete B-2 as it is the Hudson St. /River St. Redevelopment Area; delete B-3 as it is comprised of the Observer Highway Redevelopment Area, the DPW Redevelopment Area and the Neumann site; delete all three B-4 zones, as these zones are built-out and already exist as mixed-use zones or are located in the Northwest Redevelopment Area.
- Do not move the Residential [R-1] zone district boundary which abuts the Waterfront [I-1(W)] zone and runs along the mid-line of 14th St. to a parallel location behind the buildings which front on 14th St. as recommended in both the 2002RX and the 2004MP. The built context is no longer appropriate for R-1 designation.
- Do not make the adjustments to the Residential [R-1] zone district boundary as it runs north south adjacent to the Residential [R-2] zone. The need for such changes should be reexamined and possibly readjusted.
- Do not remove the zone district boundary between the existing Residential [R-2] and the adjacent Residential [R-3] zone districts at this time. While the concept remains valid, there are a number of permitted and conditional uses that must be looked at further before taking such action.
- Map the proposed Public Use zones as overlay districts rather than as zone districts since the only added control relates to ownership.

- Amend the Zoning Map to make the existing Higher Education/Stevens Campus [R-1(E)] zone a district rather than an overlay. Adjust zoning ordinance language as necessary.
- Amend the Zoning Map to correct the zone boundary between the Higher Education/Stevens Campus [R-1(E)] and the adjacent Residential [R-1] boundary on Hudson St. per DR-210, adopted in 2005.
- Amend the Zoning Map to add the Castle Point Terrace Historic Subdistrict [R-1(H) (CPT)] zone district per DR-209, adopted in 2005. Map as a district rather than as an overlay to avoid confusion in its interpretation. Adjust zoning ordinance language as necessary.



- Consider alternative zoning techniques including, arts & industry overlay zoning and the use of "area in need of rehabilitation" designation. The emphasis should be on protecting spaces where artists can work affordably rather than on where they can live. Artist housing may need to be subsumed into affordable housing considerations because "work/live" scenarios require a higher level of code compliance and result in more expensive space. Analysis of this issue has already been done by the Hoboken Arts and Industry Council and it should be utilized and expanded.
- Conduct a build-out analysis prior to the next major zoning or rezoning to accurately assess the existing and proposed population density. This would enable the City to effectively plan, evaluate and budget for the future needs of the City as they relate to community facilities, infrastructure, open space and public improvements.
- Capitalize on the City's urban village persona, its local artists and artisans, as well as the local economic development opportunities that they present and also seek to attract new "artists".
- Provide for incubator businesses.
- Evaluate the City's redevelopment areas within the larger context of adopting climate change mitigation strategies. These areas can push the envelope and utilize creative techniques that go beyond sustainability with a vision to restore/regenerate the natural systems.
- Examine the non-contiguous property transfer as a mechanism to accomplish multiple goals as expressed by the administration and outlined elsewhere in this report.

- Take advantage of Hudson County's forward-thinking Master Plan and establish, where possible, a collaborative relationship to leverage larger returns on investments that both parties would benefit, for example, around the 14<sup>th</sup> Street Viaduct, waterfront and on innovations to County streets that traverse the City.

## OPEN SPACE ELEMENT

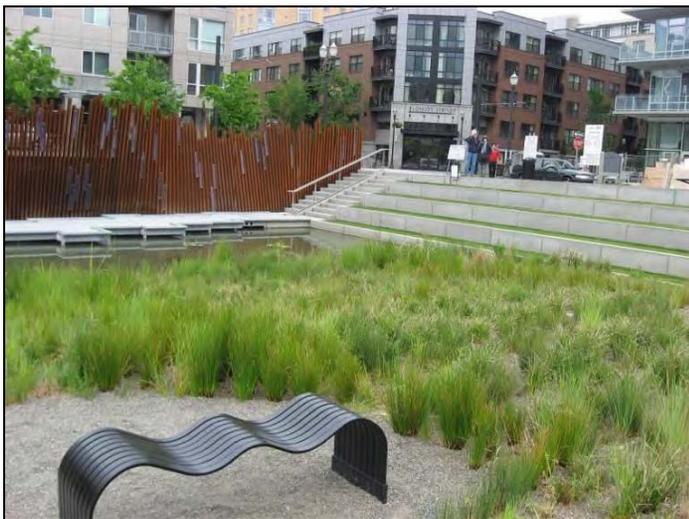
- Amend the Open Space Plan Element.
- Adopt the Open Space Plan map which is included in this Report with a corresponding table (See Appendix). The original map had several inaccuracies in both the "existing parks and recreation" and the "planned/possible new parks and recreation". The corrected map and list includes not only sites owned by the City but also those owned by other governmental entities (County, Housing Authority, Board of Education). It also includes those parks, plazas, piers and passageways built by private developers and either deeded to the City or granted public access easements for public use. The individual mapped parcels now accurately reflect the existing and available open space parcels subject to further review by the Administration as to deeds or easements that may have been accepted which would change the status of certain parcels on the maps.
- The Planning Board adopts the open space information and map as the official Open Space Plan with all its legal implications (i.e. the City is committed to buy the property from the landowner within a year of the owner receiving final subdivision or site plan approval). The adoption of the Open Space Plan is a crucial step toward enlarging the city's inventory of public open space.

- Actively pursue a County/multi-jurisdictional park in the southern portion of the City, adjacent to Jersey City.
- Create a plan for the financing and acquisition of open space.
- Create a central location (e.g. office of corporation counsel, City Clerk) for all developer agreements, deeds, access easements, permits, site plan approvals and other approvals between a developer and an approving entity where a commitment is made to build, finance or donate open space or any recreational facility.
- Create a legal instrument such as NYC uses (i.e. restrictive declarations) which would mark properties on the tax list/tax map or zoning map/zoning ordinance identifying the use restriction related to the open space commitment.
- Create signage for open space throughout the City.
- Develop a new "open space" vocabulary to move beyond the typical "active" and "passive" parameters for discussion; create new terms in order to distinguish between parks, playgrounds, playfields and plazas as well as to distinguish publicly owned open space from privately owned but publicly accessible open space.
- Begin the discussion of climate change, as well as potential mitigation strategies (such as flooding mitigation) and the relationship to infrastructure, especially as these relate to non-structural management of stormwater runoff.

Begin the discussion of preservation, natural habitat restoration, conservation, carbon sequestration, etc, under a

Green element and within the context of regenerative planning and restorative design.

- Consider re-introducing marshes with native plants and utilizing other creative storm water and flooding mitigation strategies.
- Use urban agriculture, permaculture, native plants and other carbon mitigation strategies to address environmental opportunities and/or hazards (such as underground streams that contribute to flooding).
- Utilize porous pavement, structural soils and progressive storage systems to increase stormwater detention and infiltration when rebuilding parking area, streets, sidewalks, walkways and planting areas.



- Continue to pursue the acquisition and development of properties identified on the Open Space Map.
- Identify where community gardens, rooftop gardens (such as the rooftops of municipal garages and public

schools) and other urban agricultural opportunities might be leveraged.

- Repair the waterfront walkway.
- Create more waterfront recreational facilities such as floating pools, “squirt parks”, fishing and boating to serve all ages and segments of the population.

## COMMUNITY FACILITIES

### City Government Facilities

- Review and evaluate City Hall and the Multi-Service Center to see if energy conservation and energy efficiency incentives can be leveraged. It is also recommended to see what other opportunities can be taken advantage of, i.e., mitigating stormwater runoff, alleviating heat island effect, employing distributed energy generation.
- Consider joining an organization such as the International Council for Local Environment Initiatives (ICLEI) to assist the city in evaluating and reducing its energy use and demand.

### Hoboken Public Schools

- Provide guidelines for how new and existing schools should relate to their surroundings, and how programming decisions for these facilities could provide greater benefit to the entire community within the limited review oversight granted under the MLUL.
- Ensure to the extent possible that any plans for new school facilities look at integrating regenerative planning design as well as opportunities for revenue generation to potentially offset some of the capital costs

given that Hoboken Public Schools are independent of direct oversight from the City of Hoboken.

- Consider retrofitting the rooftops of existing school buildings to include gardens/landscaping/green roofs which can be used as teaching tools while reducing the heat island effect.
- Increase landscaping, trees and rain gardens on school sites.

#### Stevens Institute of Technology

- The City should partner with Stevens on the development of cutting edge green infrastructure and green economy jobs.
- The City should amend the zoning ordinance to allow Stevens to move its planned non-water related development on the waterfront (zoned W(N)) to the interior of its campus (zoned R-1(E)) so that the waterfront can remain open or utilized by water-related uses.

## UTILITY SERVICES

### Energy

- Explore the many new financial mechanisms and economic instruments that can be taken advantage of with regard to the consumption and generation of energy. These could include energy efficiency, energy conservation, distributed energy generation, renewable energy incentives (in the form of Solar Renewable Energy Credits), infrastructure enhancements, etc. that could be used to mitigate municipal operating costs.

- Encourage the use of technological advancements in energy generation (solar, water current, wind) in all public and private development.



### Water

- Perform an infrastructure review with regard to the water distribution system, not only in Hoboken, but perhaps within the context of the Hudson County Master Planning process. This should also be evaluated within the context of a multi-jurisdictional collaboration, and address the antiquated systems to ensure Hoboken and its neighbors are delivered quality drinking water.
- Identify and plan for major capital improvements, especially as it relates to Clean Water infrastructure.

### Sewerage

- Continue to aggressively pursue state-of-the-art technology and Best Management Practices that can incorporate regenerative planning and design elements,

especially as the Authority is engaged in the cleaning out and rehabilitation of the system.

- Long-range, look to installing a new system which separates the water from the sewage.
- Shorter term, promote and/or require rain gardens and green roofs, cisterns and grey-water systems.
- Design a comprehensive native street tree infrastructure program.
- Ensure that all future pump stations are "submersible."
- Ensure a strict maintenance schedule of the regulators which were designed to reduce the amount of waste that drains into the river during storms to ensure their continued operation. The regulators are currently being consolidated and upgraded in accordance with the Long Term Facilities Plan.
- Ensure that the sewerage authority continues its program to clean out and rehabilitate the wooden sewers to prevent backups.
- Incorporate the assumption of rising sea levels into planning, zoning and local urban design considerations.
- Look to mitigate storm water/flooding through natural mechanisms such as restored wetlands and improved green infrastructure.
- Clarify the interrelationship between FEMA/DEP regulations and local zoning and building requirements.

#### Utility Service Plan

- Incorporate already proven policies and programs, backed by zoning ordinances, to reduce municipal solid waste by up to 15<sup>0</sup>%.

- Provide enhanced education regarding reduce, reuse and recycle.
- Encourage/require composting for restaurants, schools and other institutions.
- Update the Recycling Plan Element.
- Investigate trash pickup problems within the PUD's.
- Relocate the DPW and its ancillary uses to less than prime real estate.

#### CIRCULATION AND PARKING<sup>1</sup>

- Encourage a more balanced and robust multi-modal transportation system which should be operationally effective, cost efficient, and provide residents with alternatives to driving which will improve safety and traffic flow for all roadway users.
- Continue to encourage walking and bicycling as viable modes of transportation and provide a convenient and reliable intra-City transit system.
- Continue to develop creative approaches to providing residents with the option of driving without the cost and hassle of car ownership through car-share programs. While flexible pricing of off-street parking continues to be a long-term goal, this goal is viewed as part of an overall transportation strategy for the City.
- Update the Circulation and Parking Element and transform it into a Sustainable Transportation Plan. This Plan should address current conditions and evaluate future options and potential investments in all

<sup>1</sup> Circulation Information was taken in part from the Reexamination consultants meetings and conversations with City Officials and others.

modes based on local performance measures that address quality of life, safety, choice, air quality/environmental impact (carbon emissions), cost and others to be developed with public input. Such a document would not only help to identify high priority projects to attract outside funding sources, it would illustrate the City's commitment to providing a variety of modal choices for residents, employees, and visitors alike, which is equally important to funding agencies. Another benefit of a Sustainable Transportation Plan is the ability to knit together the various initiatives underway to maximize their effectiveness while minimizing their cost.

- Develop local off-street parking standards based on actual demand and reflect the symbiotic relationship between on-street and off-street parking resources and policies with the City. In recent years, the accessory residential off-street parking that has been created through the zoning requirements has been sold separately from the unit generating the requirement. The zoning ordinance does not currently provide that such a unit may automatically be leased to a different unit owner or to a person not residing in the building because it then becomes a "public" parking facility if it is rented to outsiders. No parking space should be left unused but in a residential zone, the use should be that of a residential pattern which would be monthly rather than hourly.
- Evaluate requiring that the first parking space for each unit be leased (or in the case of a condominium, owned and deeded to individual units) from the off-street supply within buildings.
- Conduct further research into the City-wide parking supply to develop usage and management strategies that also address pricing impacts and options. Updated off-street parking standards would likely be one of the outcomes of such a study, with future regulations allowing reductions in those requirements based on demand management efforts incorporated into development projects.
- Identify cost-neutral funding sources for pilot bike-share program with potential for program shared with Jersey City. Advertising on bike share stations is one way to fund such a pilot program and should be explored.
- Consider requiring transportation impact analyses for all projects that exceed certain established thresholds. These studies should address parking demand and



impacts on both on and off-street parking supplies, impacts on bicycle and pedestrian safety (via accident analysis and field investigations), as well as conventional traffic analyses if warranted based on project location, size and projected trips. Baseline data for such studies could initially come from an updated Circulation and Parking Plan Element (also referred to as a Sustainable Transportation Plan), if outside funding is available from NJDOT or another funding agency for such a Plan.

- Adopt a Complete Streets resolution, consistent with the Master Plan vision for a safe and efficient multi-modal transportation system that provides a wide range of modal options for intra-City and regional travel.
- Continue to close streets in rotation for bike paths; add bike lanes without removing parking; add bike parking facilities near the terminal and require for future developments; develop off-street parking requirements in the City Zoning Code.
- Create a transportation improvement district as foundation for payments.
- Implement "no right on red" rules for safety.
- Amend RSIS special area ordinance as necessary to reflect the recommended changes.
- Lower speed limits to improve pedestrian safety.
- Implement alternate side of the street parking similar to NYC.

#### **Regional Transportation Issues**

- Continue to endorse and promote the "Hoboken Alternative" as a as a viable option to the ARC tunnel. It is recommended that the City in conjunction with the

County, the City move forward quickly to take advantage of this opportunity. It is also recommended that Hoboken also review possibilities regarding new infrastructure for green vehicles as part of this opportunity.

- Continue to push New Jersey Transit to create an additional Light Rail station at Fifteenth Street.

#### **ECONOMIC DEVELOPMENT**

- Identify and actively pursue non-traditional forms of revenue as well as developing municipal programs that would/could potentially cut after-the-fact cleanup expenditures, i.e., on flooding/stormwater issues.
- Continue working with the state's Economic Development Administration, Hudson County, Union City and the Hoboken Business Center to provide programs and economic development ombudsman services.
- Seek possible public/private partnerships with Stevens to encourage business incubators.

#### **HOUSING**

- Actively track the progress of the Court decisions regarding the requirements of the Council on Affordable Housing (COAH) in establishing new methodologies for determining local affordable housing needs.
- Corporation Counsel decided in January 2011 that the City's Affordable Housing Ordinance (AHO) was significantly outdated because it related to earlier COAH regulations (Rounds 1 and 2). Given that the AHO is outdated, the Council will consider repeal of

this ordinance while simultaneously adopting a resolution committing to developing affordable housing policy in the City at such time that affordable housing regulations are settled at the State level. Hoboken has had no obligation in previous COAH rounds because it has over 5000 affordable housing units.

- Update the City's affordable housing inventory to indicate the current status of each of those units in order to anticipate future housing obligations.
- Revise and update the Housing Plan Element to include an inventory of existing housing stock showing the bedroom count and unit size.
- Perform a careful analysis to show the availability of housing by unit type and size as well as by cost.
- Analyze population characteristics and school enrollments to determine which families stay and which leave and why. It is not at all clear that the legal definitions of affordability serve the local population well. Until it is clearly understood, it will not be possible to develop a coherent housing policy in regard to affordable housing.
- Perform a thorough analysis of existing senior housing and review the housing types that seniors might avail themselves of within what is referred to as the continuum of care.
- When opportunities arise provide for both affordable and workforce housing.

## HISTORIC PRESERVATION

- The recommendations of the 2004 Master Plan (found on pages 133-137) remain valid (such as adding the historic districts identified by the State Historic Preservation Officer).
- Update and consolidate the various chapters in the City Code regulating Historic Preservation.
- Historic Preservation Commission should pursue designation as a Certified Local Government as a funding source for the expansion or creation of new historic districts and endeavors.
- Develop an inventory of buildings working with the Arts and Industry Council to look for adaptive reuse possibilities that would promote local economic development and help preserve the arts and industry entrepreneurs.
- Develop specific design standards, not just guidelines.
- Improve the communication between the Planning Board, the Zoning Board of Adjustment and the Historic Preservation Commission.
- Encourage contemporary building designs for new construction that complement Hoboken's historic buildings without mimicking them.
- Strengthen the Historic Preservation Commission.
- Provide kiosks along the waterfront walkway to identify historic structures or events (utilize the local arts & industry to produce the signage).
- Enhance/enlarge the local historic museum.

## DEVELOPMENT REGULATIONS: ZONING AND REDEVELOPMENT

### Zoning Ordinance

- Revisit the Unified Land Development Ordinance which was prepared but not successfully introduced. Separate and prioritize the needed zoning amendments and adopt them; "unify" the ordinances at a later date.
- Utilize the Zoning Board of Adjustment's Annual Report of variances in preparing zoning amendments; create a priority zoning amendment list based on the "D" variance requests for issues arising from court cases or those which are generally deemed acceptable (e.g. commercial use of cellar for restaurant kitchens, mixed-use in all zones)
- Improve mechanisms for the enforcement of Board approvals including all details shown on drawings, all stipulations during testimony and all conditions of approval.
- Create ordinances on an issue-by-issue basis.
- Update and clarify the façade ordinance by adding more permitted materials and specifying the objective to create new architecture which is compatible with the old style but not imitative.
- Update definitions.
- Improve architecture in the City; consider creating an architectural review board.
- Amend ordinances or create new ones to deal with the FEMA/DEP regulations. Require, as part of the development process, that the applicant incorporate measures to handle all Flood Hazard Rules, new Stormwater Rules, etc. with on-site mitigation.
- Control impervious coverage; focus on providing as much "natural" and pervious coverage as possible.
- Incorporate various green elements as requirements or in exchange for bonuses, as appropriate.
- Carefully examine any change to the maximum permitted size of retail uses as recommended in the 2004MP. Whereas many of the 2004MP recommendations are still valid (e.g., retail streets, second floor retail), the restricted size of retail in Hoboken to date has helped prevent Washington St. from attracting the large retailers that are found in most malls and which give real "Main Streets" the feel of a mall with its concomitant loss of individuality.
- Re-visit the current regulation permitting retail in residential zones (§196-33). Currently, retail appears to be a permitted use with conditions which confuses the interpretation of which type of variances apply when the proposal does not comply. Second, retail uses should not be permitted in mid-blocks just because there are two others already there. Corners are the logical and appropriate locations.
- Adjust ordinance language where necessary to reflect changes to Zoning Map.
- Amend §196-7A: Zoning Districts Established and §196-27: Overlay Districts to clarify what "overlays" and "subdistricts" are; remove the "sub-district" designation from R-1(E), R-1(H)(CPT), I-1(W), W(RDV) and W(N) as these function as districts not as overlays.

**Zoning Map**

- Adopt zoning map changes as recommended in this 2010RX.
- Adopt zoning map changes that are corrections (i.e. either they were previously adopted or they are identified in this 2010RX) as soon as possible; these include changes related to R-1(E) and R-1(H) (CPT).

**Redevelopment**

- Ensure environmental clean-up for long term city health.
- Emphasize importance of design and diversity of architecture. The use of multiple designers and developers should be encouraged on larger projects.
- Pursue LEED ND and an integrative approach to development
- Incorporate the use of area in need of rehabilitation into the City's zoning toolbox.
- Change emphasis from "area in need of redevelopment" to "area in need of rehabilitation"; use "area in need of rehabilitation" designation to create arts districts.
- Inventory buildings as redevelopment occurs in order to see what can be done from a structural perspective within the context of adaptive reuse.
- Consider each redevelopment plan through the lens of regenerative planning and restorative design taking into consideration the context of the ecosystem within which it lies (i.e. tidal marsh).
- Consider "Transit Oriented Development" when re-visiting the redevelopment plan for the Monroe Center site in the Northwest Redevelopment Plan area. TOD is generally defined as compact development within walking distance of train and bus stations (typically a half-mile radius or 10-minute walk) that contains a mix of uses, including housing, jobs, shops, restaurants and entertainment, and is designed to maximize non-motorized transportation.
- Bring Southwest redevelopment investigation study to fruition.
- Finalize Western Edge Redevelopment Plan.
- Pursue an area in need of redevelopment investigation and plan in the north end of the City. An area in need of rehabilitation designation and/or zoning overlays should also be considered to create a north arts district. The 2004MP goals should be re-visited.

**40:55D-89e:** The Planning Board recommendations concerning the incorporation of redevelopment plans adopted pursuant to Local Redevelopment and Housing Law (LRHLs) into the Land Use Plan element of the Master Plan, and recommended changes, if any, in the regulations necessary to effectuate the redevelopment plans.

In 1992, the Local Redevelopment and Housing Law (LRHL) was enacted into law. The LRHL replaced a number of former redevelopment statutes, including the Redevelopment Agencies Law, Local Housing and Redevelopment Corporation Law, Blighted Area Act, and Local Housing Authorities Law, with a single comprehensive statute. At the same time, the MLUL was also amended to require, as part of a Master Plan reexamination, that the issues raised in the LRHL be addressed in the Reexamination Report. The Planning Board may recommend the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law", P.L. 1992, c. 79 (C.40A:12A-1 et al.) into the Land Use Plan Element of the municipal Master Plan (MP), and recommend changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

In the years between the 2002 Reexamination Report, the 2004 Master Plan and 2009, the Administration's approach was to utilize redevelopment plans as a zoning technique to achieve comprehensive planning goals and create some open space at the same time. It also happened to be a period during which the legal landscape changed in regard to the entire "area in need of redevelopment" investigation and designation process. The courts became more conservative

and demanding in their understanding of the findings required to designate private property to be "in need of redevelopment". Hoboken began seven investigation studies. Of those investigations prepared, five were recommended by the Planning Board for designation (one was challenged and re-done but not completed). Four of those five study areas were subsequently designated by the City Council as Areas in Need of Redevelopment. Of those study areas designated, three of the four resulted in draft plans with only one of those draft redevelopment plans finally adopted. Additionally it should be noted that there were also several amendments to adopted redevelopment plans that were approved.

What follows below is a list of the redevelopment plans and redevelopment investigation studies ("investigation studies"), which were either already adopted at the time of the 2002 Reexamination Report or were initiated, amended or adopted shortly thereafter. For the sake of continuity and comprehensiveness, this Reexamination Report includes the names of completed (i.e. built-out) redevelopment plans. Although the 2002 Reexamination Report had noted in regard to the built-out plans that "Two are completed and need not be included in the Land Use Plan nor do they need to be noted on the zoning map", the question has arisen as to the applicable zoning. Because the redevelopment plan becomes the zoning for the designated site, it is recommended to place those plans on the map and place the redevelopment regulations in an appendix to the zoning ordinance (as was done with the Northwest Redevelopment Plan) or have a complete copy in the City Clerk's office with a reference to that fact in the appendix (as was done with the Redevelopment Plan for the Public Works Garage Site).

The text below provides the status of both completed and newly adopted redevelopment plans and amendments as well as the status of the redevelopment investigation studies referenced above:

### COMPLETED PLANS

#### River Street Redevelopment Plan (adopted 1967) - Built-out

*Recommendation:* Add to zoning map; add regulations to zoning chapter and/or ensure that plan is in the City Clerk's office.

#### Observer Highway Redevelopment Plan (adopted 1988) - Built-out

*Recommendation:* Add to zoning map; add regulations to zoning chapter and/or ensure that plan is in the City Clerk's office.

### ADOPTED PLANS/AMENDMENTS

#### South Waterfront Redevelopment Plan (adopted 1989)

The South Waterfront Redevelopment Plan (formerly called Waterfront at Hoboken Redevelopment Plan), adopted by the City Council November 1989, amended March 1995, is now substantially built-out. Block A (a large-scale office building with ground-floor retail) & Block C (a high-rise residential building with ground-floor retail) have been completed and are occupied. The related open spaces on piers, in parks and waterfront promenades have been built-out.

Block B was originally planned for a mix of office, hotel, and ground floor retail uses. An office building was to occupy the southern end of the block and a hotel was to occupy the

northern half. Due to the concerns noted in the 2002 Reexamination Report regarding bulk and density on Blocks A and C, two amendments to the plan were adopted (December 2002 and April 2004). The amendments reduced the total gross floor area permitted on the block. The office building was required to set back several feet to allow for an enlarged view corridor along its street frontage leading to the river. The hotel was permitted to be much taller in exchange for a much smaller footprint, larger setbacks at grade allowing for a public plaza and a larger view corridor along with a substantial building setback to remove the building mass from Hudson Street. The key provision for the hotel was that in order to qualify for the greater height, it had to be a "first-class, full-service, luxury hotel." A "W" hotel now stands on the site, fully occupied and functioning. The office-building site is under construction.

*Related Actions/Recommendations:* The recommended "zoning" actions were achieved and the zoning map was amended but may need correction. Add regulations to zoning chapter and/or ensure that plan is in the City Clerk's office.

#### Northwest Redevelopment Plan (adopted 1998)

The Northwest Redevelopment Plan (originally called the Redevelopment Plan for the Northwest Industrial Area) was adopted by the City Council in May of 1998 and has been amended several times. The Plan permits large-scale residential projects with other uses such as small-scale and large-scale retail, public parking garages, commercial recreation, community facility and institutional uses. Every project must provide 100% of its required parking. Urban design guidelines ensure that the streetscape will be

pedestrian-friendly, well landscaped and marked by real activity in the form of small retail locations in corner locations as well as a variety of non-residential uses. It has been amended several times and is substantially built-out.

In September of 2002, the Monroe Center project, which occupied almost all of the high-rise sub-zone of the plan area (Z-2), received preliminary site plan approval. The project was to be a mix of high-rise residential, renovated commercial/office/artist space, parking with a 52,000 square foot public plaza. In September of 2008, the designated redevelopers filed for Chapter 11 bankruptcy. Because of the complicated manner in which the project was financed, there are now multiple property interests involved. The City will have to re-visit this sub-zone and ultimately amend it to resolve the issues that have emerged from the bankruptcy.

Between March of 2005 and December of 2006, the Plan was amended three times. The first amendment was to accommodate some change to the design of 800 Jackson Street (in sub-zone Z-2) which was providing a 12,040 square foot public park. The second amendment was to provide design and bulk requirements for a movie theatre in the commercial zone along with adjustments to the boundary between that zone and the adjacent residential zone. Both of those projects have been built. The third amendment was to accommodate a proposed expansion to an existing music studio which will be permitted to have a tall residential tower if it provides a public performance space. A subsequent amendment was proposed to allow further changes to the "Water Music" project, but it has not been acted on and the project has not been built.

*Related Actions/Recommendation:* The proposed Water Music amendments and the Monroe Center project need to be resolved and/or re-visited. Amend Zoning Map to show plan area as a district not as an overlay.

#### Public Works Garage Site Redevelopment Plan (adopted 2006)

The administration decided in 2006 that the Public Works Garage should be relocated and the site should be sold and developed under a redevelopment plan. On May 3, 2006, the City Council adopted a redevelopment plan for the site which would permit a 240 unit residential building with varying heights ranging from eight to twelve stories. Some affordable units were to be included as well. The redeveloper, chosen after a bidding process in December 2007, asked for certain amendments to the plan. The amendments were adopted in June of 2008. Unfortunately, no new location was found for the relocated Department of Public Works garage. In the spring and summer of 2010 the administration had to work to resolve these issues. Contingencies had to be prepared (including vacating the garage premises and completing the environmental remediation) to close the sale of the property to a designated redeveloper. At this time, the City is searching for a new site for its vehicles.

*Related Actions/Recommendation:* Add to zoning map. Add regulations to zoning chapter and/or ensure that plan is in the City Clerk's office.

## INVESTIGATION STUDIES

### North End Investigation Study (authorized 1/21/04)

In January of 2004, the City Council authorized the Planning Board to conduct an investigation study of the I-1 zoning district north of the Fourteenth Street Viaduct. Although consultants were hired and the study was begun, other priorities took precedence and the study was not completed. In June of 2006, the City Council carved out the portion of the study area located north of the Light Rail tracks and authorized the Planning Board to study it separately. (See "NoHo Investigation Study" below.) The study area boundaries were subsequently revised at least twice more, as recently as February of 2009. The Planning Board will be retaining a new consultant to conduct such a study.

*Related Actions/Recommendations:* Investigation to be reinitiated. Retain the I-1 zoning designation for the present time.

### Western Edge Investigation Study (authorized 2/2/05)

In February of 2005, the City Council authorized the Planning Board to conduct an investigation study of the remainder of the I-1 zoning district south of the Fourteenth Street Viaduct which had not been found to be in need of redevelopment in 1998 and, therefore, had not been included in the Northwest Redevelopment Plan. Following the Planning Board's recommendation that the area was in need of redevelopment, the City Council acted in July of 2007 to designate it as such. A redevelopment plan was authorized and was completed and presented to the Council. Although it was first put on the Council agenda in August of 2008, it was then sent to committee. It was placed again on the agenda and was scheduled for a second public

hearing in March 2009 but was carried without being heard through June of 2009. At that time, it was determined that because of the impending mayoral and council election, the plan would need to be re-introduced. However, the plan as drafted was not put forward again. In 2010, the City prepared a revised plan which was presented to the public. The draft Plan includes a guaranteed location for a community center with pool which must be built before developers can open their buildings. The draft Plan also requires a mix of office/commercial/residential and that 5 percent of the developed space, be set aside for incubator office space to support existing businesses and create affordable office space for new startup businesses. Based on public comments, the Plan has been revised and was scheduled to receive further public input in December of 2010 before being introduced by the Council.

*Related Actions/Recommendations:* The Administration has been in discussions with community members and with Stevens Institute of Technology about potential partnerships and use of the proposed incubator space. In addition, the Administration, working with the Trust for Public Land, has been in discussions and negotiations to acquire a large area of land adjacent to the Western Edge known as the Henkel/Cognis site for a park. The City currently has \$3 million in funding to acquire the site and has applied for an additional \$2 million in Green Acres funding. The intention has been to develop the Western Edge in concert with the adjacent planned park at the Henkel site. The City was close to an agreement to purchase the site, but because Cognis was purchased by another entity, discussions were delayed until the closing of the purchase which was scheduled for the end of November 2010. The Trust for Public Land has been in communication

with the company acquiring the Henkel site, and they are very receptive to working with City.

#### Neumann Leather Factory Investigation Study

(authorized 4/4/05)

In April of 2005, the City Council authorized the Planning Board to conduct an investigation study of the Neumann Leather Factory site. Although consultants were hired and the study was begun, other priorities took precedence and the study was not completed.

*Related Actions/Recommendations:* In February 2008, the contract purchaser of the site submitted an application to the Zoning Board of Adjustment for a mixed-use residential/retail/gallery proposal that included a small building to be deeded to the City for public use. The application was denied in March 2009. This site may be appropriate for an area in need of rehabilitation designation and plan. Retain the I-2 zoning designation for the present time.

#### Southwest/Industrial Investigation Study

(authorized 1/19/06)

In January of 2006, the City Council authorized the Planning Board to conduct an investigation study of the I-2 zoning district west of Henderson Street. The study was completed. Following the Planning Board's hearing and recommendation that the area was in need of redevelopment, the City Council acted in June of 2006 to designate it as such and authorized the Board to prepare a redevelopment plan. The Plan was introduced in March of 2007 but a lawsuit challenging the investigation study was successful and the investigation study had to be re-done. That legal action nullified the Plan. The second

investigation study was completed and the Planning Board hearings were conducted in fall of 2007 but it did not proceed to Board recommendation. The City Council as Redevelopment Agency engaged a consultant in 2010 to prepare a new investigation study.

*Related Actions/Recommendations:* An application submitted to the Zoning Board of Adjustment in 2008 for high-rise residential use with a childcare facility on the ground floor was approved by the ZBA in November 2009 but it was appealed to the City Council and overturned in early 2010. The City Council reaffirmed the validity of the existing I-2 zoning. Retain the I-2 zoning designation for the present time.

#### NoHo Investigation Study (authorized 6/7/06)

In June of 2006, the City Council authorized the Planning Board to conduct an investigation study of the portion of the I-1 zoning district located entirely north of the Light Rail tracks (see North End study above). The study was completed. The Planning Board held its hearing in August of 2007 and recommended that the area was in need of redevelopment. The City Council listed the communication from the Planning Board on its 10/17/07 agenda but it did not act on it. No subsequent action was taken by the City.

*Related Actions/Recommendations:* Since late 2007, the State announced its plan to construct the ARC tunnel (Access to the Region's Core) which would have had ventilation towers located within the NoHo area. The State had already begun acquisition of some of NoHo's properties. In fall of 2010, the newly elected Governor Christie rejected the project and discontinued work on it. The future of the

area is uncertain. Retain the I-1 zoning designation for the present time.

New Jersey Transit Investigation Study (authorized 6/21/06)  
In June of 2006, the City Council authorized the Planning Board to conduct an investigation study of the New Jersey Transit train yards located in the I-2 zoning district east of Henderson Street. The study was completed. Following the Planning Board's hearing in January 2007 and recommendation that the area was in need of redevelopment, the City Council acted in February of 2007 to designate it as such and authorized preparation of a redevelopment plan. The draft redevelopment plan proved to be very controversial because of the scope and scale of the proposed development. The plan did not advance. The City is in the process of retaining a new consultant to prepare a new and modified plan.

*Related Actions/Recommendations:* In late 2010, NJT requested permission to redevelop the Terminal and its surrounding transportation node (a 1.8 acre portion of their entire site) as a first phase of the overall area in need of redevelopment; the City is considering the request. The City has agreed to coordinate with the NJT Studio Class to develop ideas to redesign the terminal area in a way that integrates it with the City, provides public spaces and resolves issues of use, urban design and traffic circulation; public input will be a major component of this approach. Retain the current zoning designation for the present time.

**CONCLUSION:** It is recommended that the City continue to evaluate the merits of the Local Redevelopment and Housing Law and its applicability to various areas of the municipality as a means of enhancing the rehabilitation and upgrading of the community. A continuous review process of the current ongoing redevelopment projects and plans is suggested to ensure that the projects further the City's current policies and goals, and that they are in compliance with the objectives set forth by the Master Plan and development regulations.

It is strongly recommended to consider using the approach called "area in need of rehabilitation". Unlike designations for "areas in need of redevelopment", there is no eminent domain power nor can PILOT payments be granted. However, through a much-simplified process, the City can still designate a redeveloper, can elect to offer five-year tax exemptions or abatements and still create a detailed plan even for very small areas. Thus, it may be a useful technique for such issues as creating an arts district.

It is also recommended that the zoning map be amended to show all redevelopment plan areas to reinforce the fact that they are regarded as the zoning for the plan areas, not overlays adding just a few features.

It is also essential to either codify the plans in the City Code (Chapter 196: Zoning) or ensure that copies of each plan are kept permanently in the City Clerk's office as well as in the Planning Board office.



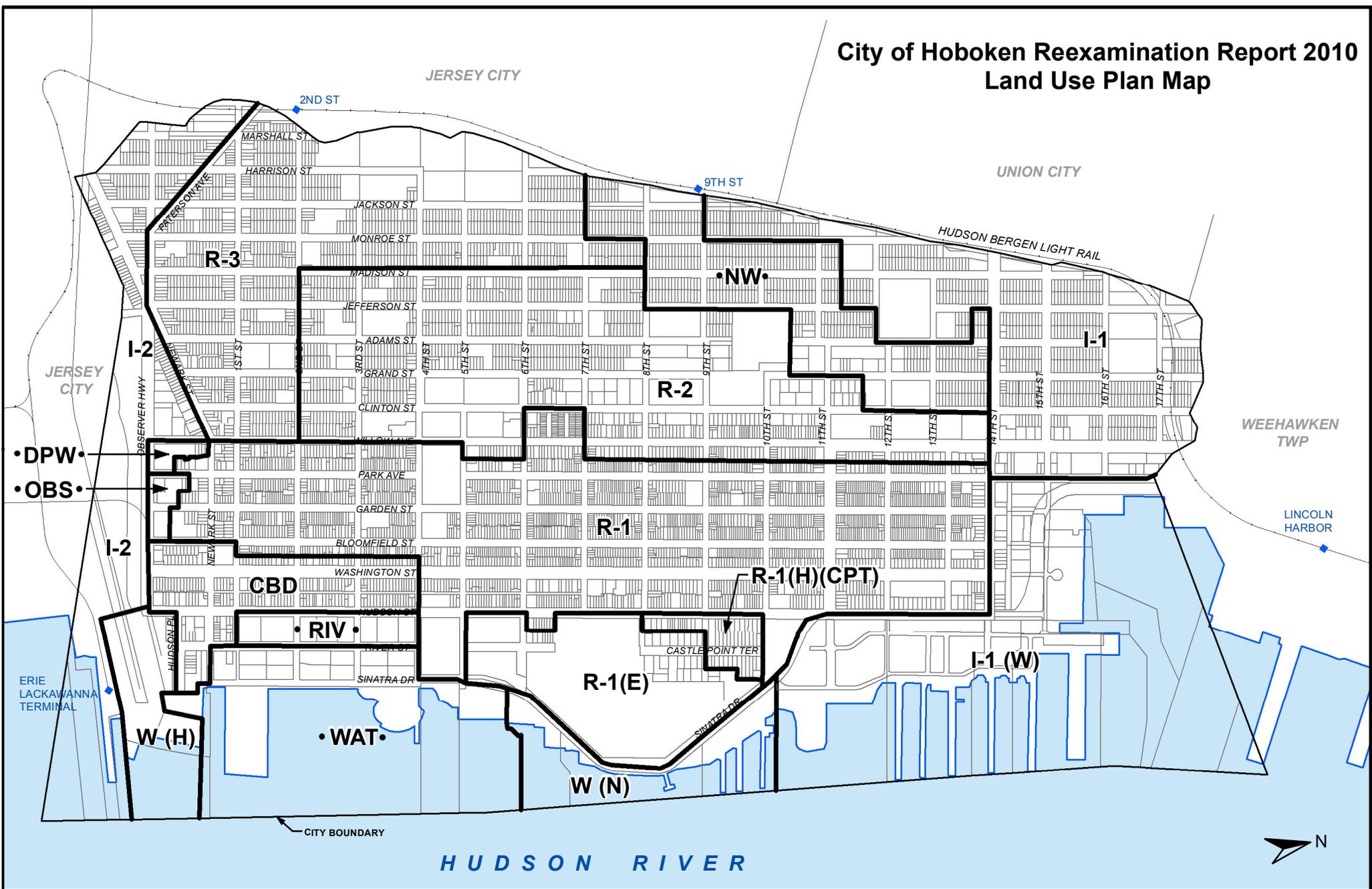
*“People want to be part of something fun. It’s exciting to change the world... Put fun in the movement to conserve, preserve, and restore, and celebrate it, and people will run to sign up.”*

*- David Brower*

*Appendix*

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# City of Hoboken Reexamination Report 2010 Land Use Plan Map



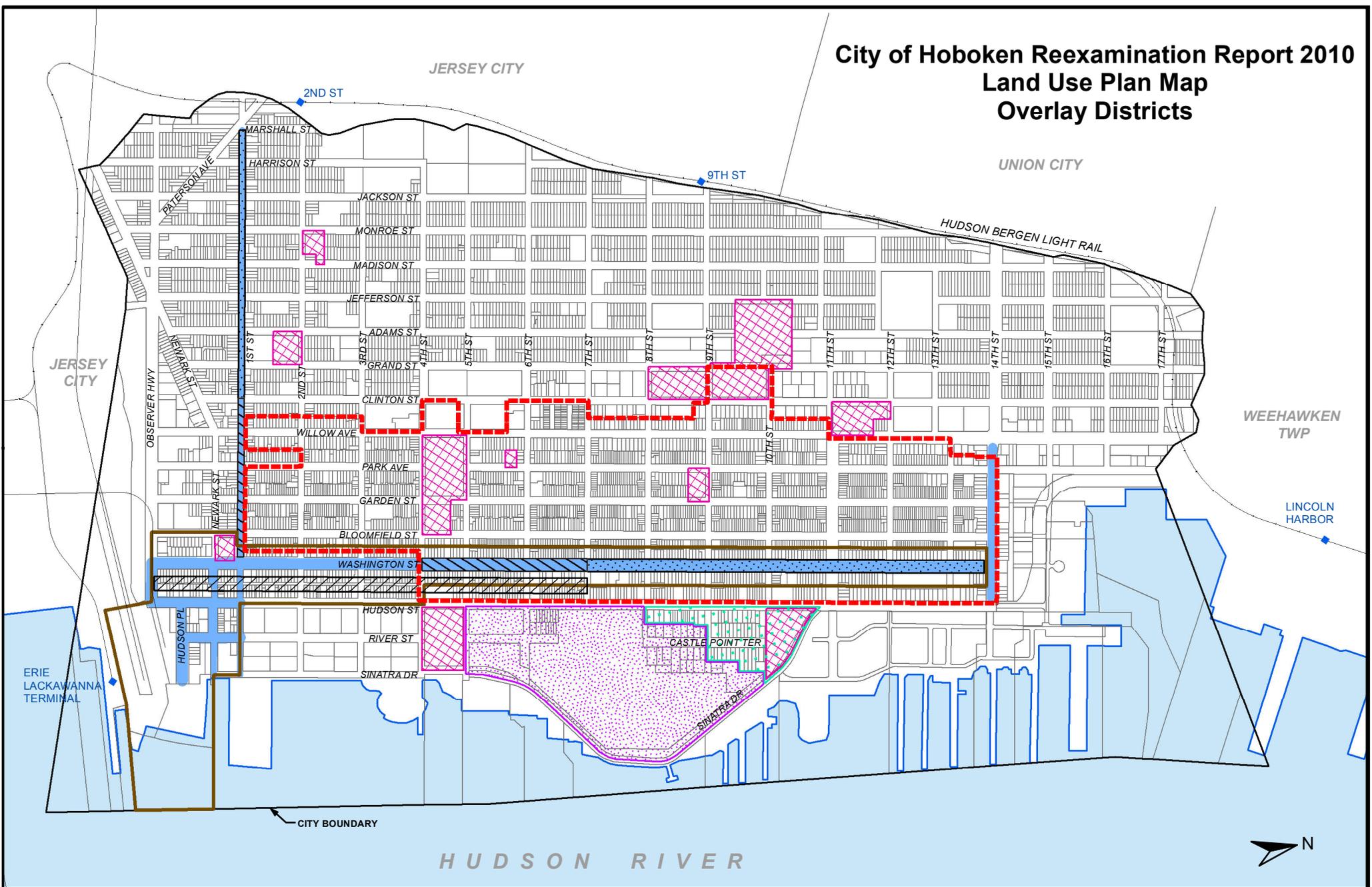
## Legend

-  City Boundary Line
-  Zone District Boundary Line
- R-1** Zone District Designation
- DPW•** Redevelopment Plan Designation

0 500 1,000 2,000  
Feet

Prepared by EFB Associates, LLC / New Paltz, NY - January 2011

# City of Hoboken Reexamination Report 2010 Land Use Plan Map Overlay Districts

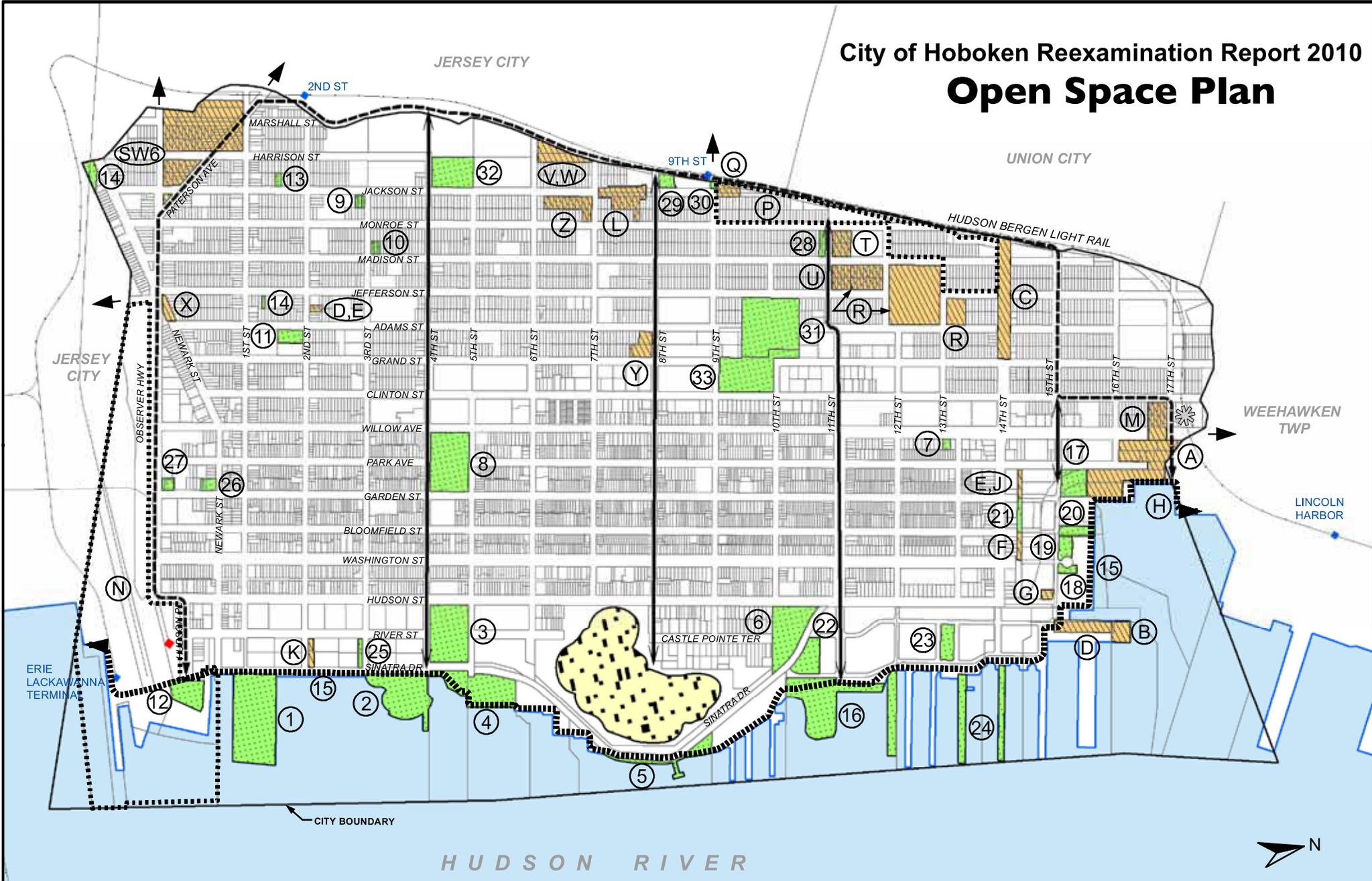


- Legend**
- City Boundary Line
  - Southern Hoboken Historic District
  - Castle Point Historic District
  - Proposed Stevens Historic District
  - Proposed Central Hoboken
  - Court Street Overlay District
  - Retail Core
  - Primary Retail
  - Secondary Retail
  - Public Use Districts

Prepared by EFB Associates, LLC / New Paltz, NY - January 2011



# City of Hoboken Reexamination Report 2010 Open Space Plan



## Legend

-  Existing Parks and Recreation
-  Planned/Possible New Parks and Recreation
-  Other Planned/Possible (Redevelopment)
-  Stevens Campus
-  Waterfront Walkway
-  Connection to adjacent municipalities
-  "Green Circuit"
-  "Urban Trail" Street
-  Pedestrian Crossing of Light Rail
-  Numbers & letters are keyed to table

Prepared by EFB Associates, LLC / New Paltz, NY - January 2011



EXISTING PARKS AND RECREATION

MAP#	NAME	LOCATION	SIZE (A)	OWNER
<b>Note: items 1 through 12 below are listed on the City's Recreation and Open Space Inventory (ROSI)</b>				
1	Pier A, SoWRDV	Hudson River at 1 <sup>st</sup> -2nd & Sinatra	4.80	City
2	Pier C, SoWRDV	Hudson River at 4th St. & Sinatra Dr.	5.10	City
3	Stevens Park (Hudson Sq.)	4 <sup>th</sup> - 5 <sup>th</sup> Sts. betw. Hudson St. and Sinatra Dr.	2.99	City
4	Sinatra Park	e/s/o Sinatra Dr. , 4 <sup>th</sup> - 6 <sup>th</sup> St.	3.60	City
5	Castle Point Park	e/s/o Sinatra Dr. under Castle Point (long-term land lease to City)	1.50	City (per lease w. Stevens)
6	Elysian Park	e/s/o Hudson St., 10 <sup>th</sup> - 11 <sup>th</sup> St.	2.69	City
7	Legion Park	1221 (e/s/o) Willow Ave., near 13 <sup>th</sup> St.	0.11	City
8	Church Square Park	4 <sup>th</sup> - 5 <sup>th</sup> Sts. betw. Garden St. and Willow Ave.	3.20	City
9	Community garden	229-233 (e/s/o) Jackson Streets, 2nd-3rd Sts.	0.17	City
10	Madison St. Park	NW corner Madison St. & 3rd Sts.	0.17	City
11	Multi-Service Ctr. Park	SE corner 2 <sup>nd</sup> and Adams Streets	0.46	City
12	Erie Lackawanna Plaza	immed. w/o ferry Terminal, foot of Hudson Pl.	1.20	NJT
<b>NOTE: several sites have been developed privately and subsequently deeded to the City but are not listed on the Green Acres inventory; multiple privately-owned and developed sites have filed public easements of some kind so that the space may be used by the public</b>				
13	Jackson Street Park	116-118 (w/s/o) Jackson St., 1 <sup>st</sup> - 2 <sup>nd</sup> St.	0.12	City
14	Pocket park	s/s/o Newark St. at southwestern entrance to City	0.32	NJT
15	Waterfront Walkway	Erie-Lackawanna Terminal to Weehawken boundary (est. total 9900 linear ft. @ 30ft. ROW); about 2/3 complete	4.50	City and private owners
16	Maxwell Place Waterfront Park	peninsula, platform & pier e/s/o Sinatra Dr. North at 11 <sup>th</sup> St.	4.10	City
17	Hoboken Cove Park	n/s/o 15th St., Park Ave. to Garden St. (park & playground)	1.00	City
18	Hoboken Cove	n/s/o 15th St., front of Tea Bldg. (rt. of cul-de-sac)	0.07	Private (easement)
19	Hoboken Cove	n/s/o 15th St., front of Tea Bldg. (left of cul-de-sac)	0.77	Private (easement)
20	Hoboken Cove	n/s/o 15th St., Bloomfield Extension and west to walkway	0.83	Private (easement)
21	Hoboken Cove alley	alley parallel to n/s/o 14th St. from Garden to Bloomfield St.	0.09	Private (easement)

MAP#	NAME	LOCATION	SIZE (A)	OWNER
22	Maxwell House Recreation Area	s/o 11th betw. Sinatra Dr. & Sinatra Dr. north	0.78	Private (easement)
23	Shipyards Park	w/s/o Sinatra Dr., 12th - 13th St. (Constitution)	1.00	Private (easement)
24	Shipyards piers	Hudson River, 13th St. - 14th St.	0.66	Private (easement)
<b>NOTE: several sites have been developed privately in redevelopment areas and have created open spaces for public use; the commitments were made via Board resolutions, developer agreements and/or public access or conservation easements.</b>				
25	Block B, SoWRDV	s/s/o 3 <sup>rd</sup> St., River St.-Sinatra Dr. ("W" Hotel)	0.30	Priv. bldg.; PA land
26	Park, OHRDV	77 Park Ave., SW corner Newark & Garden Sts. (grade level park)	0.24	Private (developer agt.)
27		77 Park Ave., NW corner Obs.Hwy. & Garden Sts. (garage rooftop adjacent to comm'l. health club open to public)	0.30	Private (developer agt.)
28	Shop Rite green plaza, NWRDV	ShopRite, s/s/o 11 <sup>th</sup> St., Madison to Monroe Sts.	0.23	Private (easement)
29	MetroStop public plaza, NWRDV	800 Jackson St., w/s/o Jackson St. at 8th St.	0.28	Private
30	9th St. LRT plaza	800 Jackson St., w/s/o Jackson St. at 9th St.	0.05	City (ROW)
<b>NOTE: other governmental entities (Hudson County, Housing Authority, Bd. of Ed.) have created open space that is available to the public in varying degrees.</b>				
31	JFK Stadium	10 <sup>th</sup> and Jefferson Sts., adjacent to Columbus Park	4.00	Bd. of Education
32	Hsg. Authority ballfield	NW corner 4 <sup>th</sup> & Jackson Streets	1.70	Housing Authority
33	Columbus Park	w/s/o Clinton St., 9 <sup>th</sup> - 10 <sup>th</sup> St.	3.20	Hudson County

**TOTAL 50.53 acres**

SOURCE: 2004 Master Plan (Table III-1 & Table III-2); MP Open Space Concept Map; ROSI (Rec.& Open Space Inventory, dated 1/11/04) memo dated 8/13/08 prep'd by CD Dir. Fred Bado; NJACTB (assessor's website); Sanborn Map Company (2/04)

LEGEND: SoWRDV South Waterfront Redev. Plan  
 NWRDV Northwest Redev. Plan  
 OHRDV Observer Highway Redev. Plan  
 OS open space  
 PA Port Authority  
 ROW right-of-way

PLANNED AND POSSIBLE NEW PARKS AND RECREATION

MAP#	NAME	LOCATION	SIZE (A)	OWNER
<b>Note: the following sites are City or County owned or are privately owned sites that have agreed to public access easements or are to be deeded to the City or granted easements</b>				
A	1600 Park	Park Ave. to Willow Ave., 16th St. to city boundary	2.10	City
B	16th St. Pier	16th St. & Hudson River (stub perpendicular to deteriorated pier at 16th St.)	0.50	City
C	14th St. Viaduct	area beneath the Viaduct including the marginal roads running from Grand westward past Madison St.	0.87	Hudson County
D	Shipyards Tennis Cts	Hudson St, n/o 14th St.	1.81	Private (TBD)
E	Bijou alley	alley parallel to n/s/o 14th St. from Park Ave. to Garden St.	0.16	Private (easement)
F	Hoboken Cove alley	alley parallel to n/s/o 14th St. from Bloomfield to Washington St.	0.12	Private (easement)
G	Hoboken Cove	SW corner of 15 th St & Hudson St. (plaza)	0.08	Private (easement)
H	Hoboken Cove	undeveloped area running paralell to Park Ave. along Weehawken Cove	1.75	Private (easement)
J	Garden St. Mews	Garden St. extension n/o/ 14th St.	0.25	City
K	SoWRDV, Block B	n/s/o 2nd St., River St.-Sinatra Dr. (off.bldg.)	0.30	Priv.bldg.; PA land
L	NWRDV, Monroe Center	Jackson Street between 7 <sup>th</sup> and 8 <sup>th</sup> Streets, paved multi-use public plaza	1.29	Private (TBD)
15	Waterfront Walkway	Erie-Lackawanna Terminal to Weehawken boundary (est. total 9900 linear ft. @ 30ft. ROW); about 1/3 incomplete	2.32	City and private owners
<b>Note: the following sites have been identified as possible public open space; NJT &amp; Western Edge Redevelopment Plans are yet to be written and/or adopted but will have an undetermined amount of public open space</b>				
M	PSE&G	mid-blk. Willow to Clinton, 17th -18th Sts.	0.46	PSE&G
N	NJT RDV	Erie-Lackawanna Terminal and train yards	TBD	NJT
P	Western Edge RDV	9th-12th Sts. w/s/o Monroe St.; Madison to Monroe, 12th-14th Sts.; Jefferson to Madison, 13th-14th Sts.	TBD	Private (various)
Q	West.Edge RDV: 900 Monroe St.	n/s/o 9th St., Monroe St. to City boundary (acreage shown is commitment by developer through ZBA developer agt.)	0.35	Private
R	Cognis-Henkel	1113-1131 Madison St. (this was included in op. sp. ord.)	1.15	Private
		1201 Madison St./1200 Adams St. (double block)	4.27	Private
		1301-1311 Jefferson St. (this was included in op. sp. ord.)	0.69	Private

MAP#	NAME	LOCATION	SIZE (A)	OWNER
SW6	Southwest Six (SW 6)	w/s/o Marshall St., 1st. St. to boundary	2.18	Private (various)
		Harrison to Marshall, Observer to Paterson	2.37	Private (various)
		Paterson to 1st St., w/o Harrison	0.43	Private (various)
		Jackson to Harrison, Observer to Paterson	0.95	Private (various)
		65-69 Paterson Ave.	0.05	City
		Observer to Paterson w/o Monroe	0.08	Private (various)
T	NWRDV, Z3 sub-zone	n/s/o 11th St., Madison to Monroe St.	0.92	Private
U	NWRDV, Z3 sub-zone	n/s/o 11th St., Jefferson to Madison St.	0.34	Private
		n/s/o 11th St., Jefferson to Madison St.	0.34	Private
V	600 Harrison St.	w/s/o Harrison St., 6th-7th St. (14,410sf for site + 262ft.Harrison St. frontage x 30ft.of street to be developed as public passageway/pedestrian st.)	0.51	Private
W	600-632 Jackson St.	w/s/o Jackson St., 6th-7th St.; thru to Harrison (262ft.Harr.St.x30ft. as above)	0.18	Private
X	triangle	street area bounded by Newark, Adams & Jefferson Sts.	0.28	Private
Y	720-732 Grand St.	s/s/o 8th St. from Grand to Adams St.	0.34	Private
Z	605-633 Jackson St.	e/s/o Jackson St., 6th to 7th St. ; s/s/o 7th, Jackson to Monroe St.	1.03	Private

**TOTAL 28.46 acres**

SOURCE MP (2004 Master Plan Table III-1 & Table III-2); MP Open Space Concept Map; memo dated 8/13/08 prep'd by CD Dir. Fred Bado  
 ROSI (Rec.& Open Space Inventory, dated 1/11/04); NJACTB (assessor's website)/Sanborn Map Company (2/04)

NOTE open space will be created in the NJT & Western Edge Redevelopment plans but the amount has not been determined yet  
 open space will be creatd in the Southwest Redevelopment Plan but a new investigation study has just begun  
 the letters "I" and "O" were not used because they are easiliiy confused with numbers

LEGEND SoWRDV South Waterfront Redev. Plan  
 NWRDV Northwest Redev. Plan  
 OHRDV Observer Highway Redev. Plan  
 NJT New Jersey Transit

Ordinances adopted since last Reex Report

**TABLE RX: PLANNING & ZONING ACTIONS 2001-2010**

Date	Master Plan Element/ Redevelopment Plan	Zoning Amendment/ Other Action	Content	MLUL section/ Ord. Number
07/11/01		Amend City Code	amend Ch. 20, create Dept. of Community Development	DR-1
07/11/01		Amend City Code	amend Ch. 44-1, allow mayoral representative on PB	DR-3
07/12/01		Zoning Amendment	amend Ch.196, re: R-1(E)	DR-4
10/17/01		Zoning Amendment	delete R-445	DR-14
10/17/01		Zoning Amendment	amend Ch. 196, increase R-1(E) campus parking reqmts., restrict location of maintenance, parking & athletic facilities	DR-15
12/05/01		Amend City Code	amend Ch. 62, create Shade Tree Commission	DR-19
02/06/02		Zoning Amendment	amend Ch.196, re: R-1,2,3, bldg. ht., density; basement/cellar	DR-17
05/15/02		Amend City Code	amend Ch. 34A, create new application checklist	DR-40
05/15/02		Zoning Amendment	amend Ch.196, re: minor site plan	DR-39
07/17/02		Zoning Amendment	amend Ch.196, re: R-1,2,3, bldg. setback	DR-43
07/17/02		Zoning Amendment	amend Ch.196, re: R-1,2,3, bldg. ht.	DR-44
10/16/02		Amend City Code	amend Ch. 56, dissolve Hob.Pkg.Auth.; create Hob.Pkg.Utility	DR-61/62
11/16/02			bond Green Acres-multi-park	DR-68
12/04/02	South Waterfront Redevelopment Plan	Amend Plan	South Waterfront Redevelopment Plan	DR-74
05/07/03		Zoning Amendment	amend Ch.196, add wireless antenna/tower regulations	DR-91
04/21/04	South Waterfront Redevelopment Plan	Amend Plan	amend South Waterfront Redevelopment Plan-hotel	DR-139
08/11/04		Amend City Code	amend Ch. 20B, add contrib. disclosure forms to development applications	DR-152
11/02/04		Amend City Code	amend Ch. 20A, public contracting reform	DR-153
03/02/05	Northwest Redevelopment Plan	Amend Plan	amend Northwest Redevelopment Plan	DR-183

Date	Master Plan Element/ Redevelopment Plan	Zoning Amendment/ Other Action	Content	MLUL section/ Ord. Number
FAILED		FAILED	intro. new B-3 zoning district per Master Plan	DR-187/188
11/14/05		Zoning Amendment	amend Ch.196	DR-209
11/14/05		Zoning Amendment	amend Ch. 196-8, zoning map	DR-210
11/14/05		Zoning Amendment	amend Ch.196, create CPT & CPT(H) zoning district	DR-211
11/15/05		Amend City Code	amend Ch. 36-3, create CPT(H) historic district	DR-211
12/07/05			contract to purchase 1600 Park for open space	DR-222
04/05/06		RESO	apply to Op.Space Trust Fund for Pier C Park	RESO
04/05/06		RESO	apply to Op.Space Trust Fund for 1600 Park park	RESO
10/04/06	Northwest Redevelopment Plan	Amend Plan	amend Northwest Redevelopment Plan; movie theatre	DR-275
12/06/06	Northwest Redevelopment Plan	Amend Plan	amend Northwest Redevelopment Plan	DR-285
01/17/07		Amend City Code	amend Ch. 166, adopt Stormwater Management Plan, also adopted into MP	DR-289
02/21/07		Amend City Code	amend Ch. 20C, redevelopment pay-to-play reform	DR-298.1
03/07/07		RESO	Op. Space Trust Fund-devel. fund for 1600 Park	RESO
03/07/07		RESO	Op. Space Trust Fund-devel. fund boathouse @ Hob. Cove	RESO
03/07/09			waterfront walkway	DR-396
01/02/08		Amend City Code	amend Ch. 55, create Trust Fund for Open Space Acquisition	DR-343
06/16/08		Amend City Code	amend Ch. 56-A, require pub. hrg. & Council reco. to change purpose of parkland	DR-363
11/24/08		Amend City Code	amend Ch. 35, require city projects to meet LEED silver	DR-380
08/05/09		Amend City Code	amend Ch. 44, ZBA members to be apptd. by Council not mayor	Z-2
09/16/09		Amend City Code	amend Ch. 37, reinstate River St. Redev. Plan, clerical	Z-7
01/20/10		Amend City Code	amend Ch. 44, ZBA alternates increased fr. 2 to 4	Z-26
SoWatRDV	South Waterfront Redevelopment Plan			
NWRDV	Northwest Redevelopment Plan			
CPT	Castle Point Terrace			
CPT(H)	Castle Point Terrace Historic			

CITY OF HOBOKEN

2010 POPULATION CENSUS DATA

Geographic Area	Total Population	RACE								Hispanic or Latino (of any race)
		ONE RACE							Two or More Races	
		Total	White	Black or African American	American Indian & Alaska Native	Asian	Native Hawaiian & Other Pacific Islanders	Some Other Race		
New Jersey	8,791,894	8,551,591	6,029,248	1,204,826	29,026	725,726	3,043	559,722	240,303	1,555,144
Hoboken City	50,005	48,681	41,124	1,767	73	3,558	15	2,144	1,324	7,602

The following tables reflect the information as per the 2005- 2009 American Community Survey estimates. The detailed 2010 Census data is not yet available.

### SOCIAL CHARACTERISTICS

Social Characteristic	2000	Percent (%)	2005-2009 Estimate	Percent (%)	Percent Change (%)
Average household size	1.92		1.92		0.0
Average family size	2.73		2.69		-0.4
Population 25 and older	28,637	74.2	31,833	79.6	5.4
Population foreign born	5,588	14.5	5,933	14.8	0.3
Total population	38,577		39,978 <sup>1</sup>		3.6
Total male population	19,654	50.9	20,827	52.1	1.2
Total female population	18,923	49.1	19,151	47.9	-1.2
Median age	30.4		31.5		1.1 YRS
Household population	37,289		38,786		4.0
Total Households	19,418		20,185		3.9
Total Families	6,842		7,188		5.1
One race	37,506	97.2	38,905	97.3	0.1
White	31,178	80.8	33,379	83.5	2.7
Black or African American	1,644	4.3	1,258	3.1	-1.2
American Indian and Alaska Native	60	0.2	27	0.1	-0.1
Asian	1,661	4.3	1,974	4.9	-0.6
Some other race	2,942	7.6	2,267	5.7	-1.9
Two or more races	1,071	2.8	1,073	2.7	-0.1
Hispanic or Latino (any race)	7,783	20.2	6,319	15.8	-4.4

HOUSEHOLDS AND FAMILIES: In 2005-2009 there were 20,000 households in Hoboken City. The average household size was 1.9 people. Families made up 36 percent of the households in Hoboken. This figure includes both married-couple families (27 percent) and other families (8 percent). Nonfamily households made up 64 percent of all households in the City. Most of the nonfamily households were people living alone, but some were composed of people living in households in which no one was related to the householder.

<sup>1</sup> The most recent 2010 census has identified the population of Hoboken at 50,005 persons.

**ECONOMIC CHARACTERISTICS**

<b>Economic Characteristics</b>	<b>2000</b>	<b>Percent (%)</b>	<b>2005-2009 Estimates</b>	<b>Percent (%)</b>
In labor force (16 or over)	28,850	76.5	29,132	81.0
Mean travel time to work in minutes (16 years and older)	34.7		36.2	
Median household income (in 2009 inflation-adjusted \$)	62,550		105,710	
Median family income (in 2009 inflation-adjusted \$)	67,500		130,068	
Per capita income	43,195		72,435	
Individuals below the poverty level (based off different total population #)*	4,124	11.0*	3,646	9.4*

**INCOME:** The median income of households in Hoboken city was \$105,710. Eighty-nine percent of the households received earnings and 4 percent received retirement income other than Social Security. Eleven percent of the households received Social Security. The average income from Social Security was \$12,392. These income sources are not mutually exclusive; that is, some households received income from more than one source.

**TRAVEL TO WORK:** Twenty-eight percent of Hoboken city workers drove to work alone in 2005-2009, 3 percent carpooled, 56 percent took public transportation, and 10 percent used other means. The remaining 3 percent worked at home. Among those who commuted to work, it took them on average 36.2 minutes to get to work.

**POVERTY AND PARTICIPATION IN GOVERNMENT PROGRAMS:** In 2005-2009, 9 percent of people were in poverty. Twenty percent of related children under 18 were below the poverty level, compared with 27 percent of people 65 years old and over. Eight percent of all families and 30 percent of families with a female householder and no husband present had incomes below the poverty level.

HOUSING CHARACTERISTICS

Housing Characteristics	2000	Percent (%)	2005-2009 Estimates	Percent (%)
Total housing units	19,915	-----	22,126	11.1%
Occupied housing units	19,418	97.5	20,185	91.2
Owner-occupied housing units	4,396	22.6	6,560	32.5
Renter-occupied housing units	15,022	77.4	13,625	67.5
Vacant housing units	497	2.5	1,941	8.8
Median Value owner-occupied homes (dollars)	428,900		572,300	

HOUSING CHARACTERISTICS: In 2005-2009, Hoboken city had a total of 22,000 housing units, 9 percent of which were vacant. Of the total housing units, 5 percent was in single-unit structures, 94 percent was in multi-unit structures, and less than 0.5 percent was mobile homes. Twenty-eight percent of the housing units were built since 1990.

OCCUPIED HOUSING UNIT CHARACTERISTICS: In 2005-2009, Hoboken city had 20,000 occupied housing units - 6,600 (32 percent) owner occupied and 14,000 (68 percent) renter occupied. Thirteen percent of the households did not have telephone service and 35 percent of the households did not have access to a car, truck, or van for private use. Twelve percent had two vehicles and another 2 percent had three or more.

Sources: U.S. Census Bureau website, 2010 Census Redistricting Data & 2005-2009 American Community Survey 5-Year Estimates